

TROY TOWNSHIP ZONING COMMISSION

13950 Main Market Road, Burton, OH 44021

440.834.8614

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MEETING MINUTES

Date: March 2, 2023

Time: 7:00 P.M

Location: Troy Township Community House

Purpose: Regular Meeting

CALL TO ORDER

Chairperson Reeves called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

ROLL CALL

Members Present: Jeannine Reeves, Roger Kwiatkowski, Henry Shrock, Art Kvacek, Joseph Mayoros, and the Zoning Secretary Lisa Murphy.

Members Absent: None

Zoning Inspector: Not present

Alternate(s) in Attendance: Joyce Kvacek, and Bryan Cargould

Visitors: See Exhibit A

REVIEW AND APPROVAL OF MINUTES

Chairperson Reeves asked the board members if they read the minutes from the February 2, 2023 zoning commission meeting and if they found anything that needs to be corrected. All board members acknowledged that there are no corrections needed. Chairperson Reeves asked for a motion to approve minutes as written. Roger Kwiatkowski motioned to approve minutes as written. Henry Shrock second said motion. All in favor. February 2, 2023 meeting minutes are approved as written.

BZA UPDATE

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Lisa Murphy advised that we currently have two variances. Both public hearings are scheduled for Monday, March 27, 2023. The first variance is scheduled for 7:30pm and the second variance is scheduled for 8:00pm.

1. ZP23-2 is for lot frontage. They want to split the lot. Property is located on Mumford Road. They are asking for 207' frontage, requirement in R-3 is 250' for a variance of 43'.
2. ZP23-5 is for front yard setback. They want to build a new house in the exact location of their existing house. Property is located on Hoover Road. They are asking for 61' front yard setback, requirement in R-3 is 75' for a variance of 14'.

Trustees approved Lee Imhoff to be an alternate on the BZA.

TROY TOWNSHIP NEWSLETTER

Lisa Murphy confirmed confirmation from Taryn Zwolinski that she received part 2 and it will be published in the March/April edition. Advised that part 3 will go in the May/June edition so she will need to know at the April meeting if anyone wants something to be added in. Chairperson Reeves asked if we received any feedback on the first part. Lisa Murphy advised she did not receive anything. Chairperson Reeves asked the board if they have anything they knew of right now. Henry Shrock said he would like to see a reminder to go in that if they buy a bag of McDonald's food that they should take care of it themselves and not dump it in his or anyone else's ditch. Chairperson Reeves said she sees this problem everywhere not just Troy. Roger Kwiatkowski said he has to clean his ditch out weekly as he lives on the corner. Bryan Cargould mentioned that at Trustees meeting Waste Management is working with the Amish and they are cleaning up 2 or 3 roads. They are going to go down these roads and pick up all the trash that are on the roads. Chairperson Reeves asked if Waste Management was picking up the trash. Ken Zwolinski said the Amish are gearing it, it is like volunteer work, they are picking up the trash and putting it in bags. Multiple people were speaking, basically saying more than just Troy Township was doing this and it was more than just the Amish that could do this. It is volunteers that are willing to walk the sides of the roads to pick up trash and bag it and then Waste Management will go around and pick up all of the trash bags. Chairperson Reeves asked when this was going to happen. Bryan Cargould said he thought it was in April but he was not sure. Ken Zwolinski said you can find the details online.

Roger Kwiatkowski asked Dave Dietrich if open burning is a zoning issue. Dave Dietrich said that is with the fire department. Joe Mayoros said it is regulated by the state when you can do open burn. You have to have a permit to open burn in Troy. Henry Shrock asked when you get a permit is that good for only one open burn? Joe Mayoros said it covers you for a whole year but you have to get it from the fire station. This way they will not respond if someone calls in and sees a flame in your yard because they know you have a permit.

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HEARING OF THE PUBLIC

Chairperson Reeves asked if anyone in attendance has anything that they would like to discuss?

Ken Zwolinski asked if the board had any thoughts about what he spoke about the last time he was in attendance regarding commercial lots being in compliance. Chairperson Reeves replied that we have not talked about it and she is thinking we would not talk about that until we go over commercial again. Then asked if he was talking about Ken Emerick's place. Ken Zwolinski said he brought that up about noncompliance lots like Ziegler's, Emerick's, and we talked about green space, frontage, the smaller 2 acre lots on this side of 422. We talked about septic systems, green space, and setbacks. When you are dealing with small lots in a business world the lot has to be productive, you have to have space for them to work. If you are manufacturing cabinet doors, look at Stephen Detweiler over there building cabinets, what does he got, an 18,000 square foot building over there. Then you have Chris over here, he is a cabinet maker and he has so much building with so much lot you know. Chairperson Reeves said that is why they come in and get their variances. Ken Zwolinski said he knows but he is just saying it is hard to put everything on a smaller lot. Chairperson Reeves asked if he is talking about a home occupation. Ken Zwolinski replied no, he is talking about commercial small lots that we have on the north side of 422. We talked about Eddy Ebelander, he has like 30 acres there, he has more than efficient, that is all and he thought he would bring it up. Chairperson Reeves reiterated that we are not going to be bringing it up for a while but assured him that this will be discussed when the commercial district is under review again. Ken Zwolinski said ok, and promised that he will not harass us about it. Chairperson Reeves said she appreciates that.

Pat Preston spoke up and said he has a commercial question. He said he bought Ken's Auto Body along with the house next to it. Chairperson Reeves asked if he meant on the other side of the meat market. Pat Preston said yes, the Dienes house. He walked up to the table, put some papers down, said these are the drawings, and sat back down. He said he is assuming because Ken was operational and the other guy had a garage that he was repairing things in that he is okay to carry on and does not have to do anything zoning wise. Chairperson Reeves said these would be questions for the zoning inspector. Pat Preston said he knows but he is asking us for clarification. He is operating Ken's, it is an on-going business, it is not subject to any zoning inspection, it is an existing business. Chairperson Reeves said but it changed hands and is under new ownership now, correct? Pat Preston asked what that had to do with zoning? Lisa Murphy advised that she can confirm that recently Ken Zwolinski pulled the proper permits so as long as business continues as is and the footprint does not change, he can continue but if anything is going to change he would need to reach out to Joe Orłowski first to confirm the changes would be in compliance and that he has the applicable permit(s). Pat Preston confirmed that nothing has changed at all.

Pat Preston said the other house has a 3-garage door where the guy was fixing, not sure what, but he has lifts in there, so he was doing some kind of mechanical. Chairperson Reeves said she did not know anything about that. Pat Preston said they fixed it up and are going to make that part of Ken's. It will have its own address and everything but we will do bodywork in there and paint and canvas. Lisa Murphy said that he will have to talk to the inspector about to see what/if the previous owner pulled a

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permit. To see what kind of certification that property has. So that will require a conversation with the inspector. Pat Preston asked if that would be grandfathered. Lisa Murphy said if he never got a certificate. Ken Zwolinski said he did get a zoning permit. Lisa Murphy said she is talking about the Dienes property. Chairperson Reeves reiterated to Ken that it is not about his property but about the other property. Lisa Murphy said the other property she does not know the history of, so she advises to reach out to Joe Orłowski and get confirmation if they pulled permit(s). Ken Zwolinski said that was Ed Dienes and he was a Cadillac service repair person and when he retired he was repairing cars in there. He remembers having a sign out front by the road so he had to get a permit for that. He remembers when he was alive and knows he had a tax ID. Lisa Murphy to Pat Preston that he does not want to assume anything and it is best to confirm with our inspector to play it safe as it is his responsibility as the property owner to make sure proper permits are pulled for his properties. Joe Orłowski will be able to tell you what has or has not been pulled for that property and the current status of any permit for that property. Ken Zwolinski said that we should let him know when Joe is here and if they have his number. Chairperson Reeves advised he is here every Tuesday night at 7pm. Lisa Murphy said his office hours on Tuesday's are 6pm-8pm. Pat Preston confirmed that he has Joe's phone number. Joyce Kvacek advised that Joe's business cards are out in the lobby if they wish to take one.

Chairperson Reeves said she never knew there was a business that operated out of that property and asked if anyone else knew that. Other board members were not aware of it either. Joe Mayoros said maybe it was a home occupation at one point. Lisa Murphy said you cannot just go by having signs out by the road as some businesses have just recently gotten permits. Dave Dietrich confirmed that Ken's permits definitely transfer but the other property we do not know and it was the appropriate response to have them reach out to Joe Orłowski to confirm. Roger Kwiatkowski said that is something we do not have jurisdiction over so we it was correct to advise them to reach out to Joe to confirm. Board in agreement.

Chairperson Reeves said this concludes the public hearing.

INTRODUCTION OF NEW ZC ALTERNATE

Chairperson Reeves introduced Bryan Cargould as our new alternate for the zoning commission and everyone welcomed him to our team.

OLD BUSINESS

TABLED ITEMS - ARTICLE VII SIGNS

Lisa Murphy handed out the revised proposed change review papers to the board members prior to meeting starting.

Lisa Murphy advised the board that they can disregard the previous version of the proposed change review if they want to by giving it to her and she will dispose of it, however there is a cover page for it

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labeled “original” if they want to keep it. The revised copy includes all revisions discussed during the February 2, 2023 ZC meeting. Everything highlighted in green on the left side from Section 700.0 through 713.0 indicates the revisions. Anything highlighted in yellow on either side indicates a clerical error. In Section 714 the word “face(s)” are identified with bold and underlined font. Lisa Murphy said what she would like to do is to review all highlighted areas first to ensure the revisions are accurate and to confirm changes for the clerical errors. Then we can continue the proposed change review where we left off last month. Board in agreement.

Lisa Murphy will read each section, board to discuss further if needed, and confirm if revisions are agreed upon or if further review is required.

1. **Section 700.0(A)(2):** Proposed the removal of “basic face or” – Board in agreement.
No further review needed
2. **Section 700.0(B)(1):** Proposed the removal of “or face” – Chairperson Reeves asked Dave Dietrich that we have a lot of definitions in signs and was thinking maybe we should have these under definitions also, in chapter 2. Dave Dietrich said you may, but it is usually one or the other. It is usually all in the definitions and not in signs or all in signs and not in the definitions, not both. Chairperson Reeves said so just leave them in signs. Dave Dietrich said I see no harm in that, signs is kind of a unique animal anyway, so you have it all in one chapter or article so to speak. If you leave it in here then you do not have to go back and forth. Either way it just has to be one or the other not both. - Board in agreement.
No further review needed
3. **Section 701.0(6):** Proposed the removal of “faces or” in the proposed text – Board in agreement.
No further review needed
4. **Section 704.0(A)(1)(2)(3)(4)(5)(6):** Proposed the removal of “per sign face” in each of the numbers – Board in agreement with all.
No further review needed
5. **Section 705.0(A)(1)(b):** Proposed the removal of “per sign face” – Board in agreement.
No further review needed
6. **Section 705.0(B)(2):** Proposed removal of “per sign face” in the proposed text – Board in agreement.
No further review needed
7. **Section 706.0(A)(1)(b):** Proposed the addition of “area” and the removal of “per sign face” – Board in agreement.
No further review needed
8. **Section 706.0(c):** Proposed the removal of “per sign face” – Board in agreement
No further review needed
9. **Section 706.0(2):** Proposed the removal of “12” and the addition of “24” and the removal of “per sign face” –Roger Kwiatkowski asked for confirmation of the number changing. Lisa Murphy

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reiterated that the proposal is to remove 12 and replace it with 24. Roger Kwiatkowski then asked what the yellow highlighting on the right side of the proposed change review paper meant, where the words “area. There” is highlighted. Lisa Murphy replied that in the computer it shows that as a double space but when it printed it is not showing as a double space and she does not know why. However, she highlighted to flag it as a clerical error to ensure it is corrected when doing the final draft of the article. - Board in agreement.

No further review needed

10. **Section 706.0(3):** Proposed the removal of “per sign face” – Board in agreement.

No further review needed

11. **Section 707.0(A)(1)(b):** Proposed the removal of “per sign face” – Board in agreement.

No further review needed

12. **Section 707.0(B)(2):** *Note this is going to be the new (b)(1)* Proposed the removal of “per sign face” – Board in agreement.

No further review needed

13. **Section 708.0:** Proposed the removal of “face” and the addition of “area” – Henry Shrock asked if the word “or” should be in there. Chairperson Reeves read “The surface or area”. Henry Shrock said “Or surface area”. Lisa Murphy read “The surface or area of a sign” and said she thinks she originally had “or” crossed off and then revised it to leave “or” in. Henry Shrock said okay. – Board in agreement.

No further review needed

14. **Section 712.0 Title:** Proposed the removal of “Removal of” – Board in agreement.

No further review needed

15. **Section 712.0 Paragraph:** Proposed the removal of “face” and the addition of “area” – Board in agreement

No further agreement

Continue Proposed Changes Review:

Lisa Murphy said we can go on and continue the review where we left off at last month’s meeting. We will start at section 714.

Article VII SIGNS

*Note: Originally there were no proposed changes in this section. Based on the decision by the board to propose the removal of “face(s)” those have been identified in this section in bold and underlined font. The board will review the sections as a whole along with the bold/underlined words and determine if they wish to proposed any changes or if they are in agreement that no proposed changes are needed.

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**** means proposed change was agreed upon during the meeting**

1. **714.0(A) No proposed changes:** Lisa Murphy advised that there are no proposed changes. Board in agreement that no proposed changes are needed.
No further review needed
2. **714.0(A)(1) Identified “face”:** Lisa Murphy asked the board to first review the word “face” and determine if they want to propose to remove it or do we want to replace it with something. Henry Shrock said remove it would make sense. Chairperson Reeves said so we want it to say “or elements of the sign”. Henry Shrock said yes. Chairperson Reeves said that is fine with her and asked the board if they had anything else or are they fine with the removal. Board in agreement with the proposal for the removal of “face”. Lisa Murphy asked if everything else is okay as written. Board in agreement that no additional proposed changes are needed.
No further review needed
3. **714.0(A)(2) No proposed changes:** Board reviewed and are in agreement that no proposed changes are needed.
No further review needed
4. **714.0(B) Paragraph No proposed changes:** Bryan Cargould asked if we are tying the billboard permit with the zoning permit because it says “and a conditional zoning certificate”? Chairperson Reeves replied that it looks like it is tied together. Bryan Cargould asked if we could approve a conditional zoning permit for their business but not for their billboard? Should that really be separate, isn’t that kind of together? Dave Dietrich said a billboard is a conditional use so it gets a conditional use permit. It has nothing to do with the building or anything else that is on site, this is strictly the billboard. Chairperson Reeves said but he is asking why it says both. Dave Dietrich said first it is the application, so no application shall be approved. Then rest of the sentence is no certificate is issued. Bryan Cargould said it says “and”. Dave Dietrich said it is approved by the Board of Zoning Appeals and issued by the zoning inspector. Chairperson Reeves asked if we should take the word “and” out of there which would indicate they are both one and the same. Dave Dietrich said they are not same. One is an application that is reviewed and approved by the Board of Zoning Appeals and then is issued by the zoning inspector. That is how it works for a conditional zoning permit. Chairperson Reeves said they have to apply to for the conditional zoning certificate and that goes to the BZA and when the BZA says yes then the conditional zoning certificate gets issued by the zoning inspector. Henry Shrock said it would not be issued if the BZA was to turned down. Dave Dietrich replied that is right and why it says approved. Board in Agreement that no proposed changes are needed.
No further review needed
5. **714.0(B)(1) Clerical Error & Identified Multiple “face(s)”:** Lisa Murphy advised the yellow highlighted is a spelling error, it says “that” but should say “than”, she will ensure this is fixed for the final draft of the article. She advised that she identified 4 different “face(s) in (B)(1).

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Roger Kwiatkowski said we are saying that there should be no more than 2 advertising surfaces. Henry Shrock said right. Chairperson Reeves agreed. Roger Kwiatkowski said that "faces or" has to be scratched out. Chairperson read "There shall be no more than 2 advertising surfaces on a billboard structure".

Roger Kwiatkowski said the next sentence we should take out "face of a" so it says "Each billboard shall be". Chairperson Reeves said should we put something else in there besides face because a billboard can have 2 sides and I think that is what they are saying, right? Each side of the billboard is considered its own area, its own side. Roger Kwiatkowski mentioned it says that in the first sentence and reread the first sentence. Chairperson Reeves asked Roger if he is saying that it is saying that each billboard shall be considered a separate sign by taking out "face of a"? You can have a 2-sided billboard. Henry Shrock said you cannot have more than 2 sides. Chairperson Reeves said yes, no more than 2 sides but still it is 2 sides. You can have a side and a side all on one billboard. Henry Shrock said he is not sure what we are answering here as there should not be anymore than 2 surfaces. Chairperson Reeves reread the 2nd sentence and then asked what is the definition of a billboard. Roger Kwiatkowski said at this point we have already established what a billboard is we just need to say that there cannot be more than 2 surfaces on a billboard structure, we do not have to define what billboard is. Chairperson Reeves asked Roger if he is saying that we should take out the second sentence completely? Roger Kwiatkowski replied yes and then read the third sentence out loud without the word "face" and said it did not make sense to him. Bryan Cargould said what they are saying is with two faces, one this way and one this way so you are defining the face because of traffic coming both ways. Chairperson Reeves said it is just like she said if you want to take out "face" then add "sides" because a billboard is two sides but Roger is saying that it is defined as that there shall be no more than 2 faces or 2 advertising surfaces that it is already defined that there are 2 surfaces, so he thinks we should take that whole sentence out. Roger Kwiatkowski said we can take the next two sentences out. Chairperson Reeves read the third sentence out loud then said she thinks that defines it. Dave Dietrich said that is basically it, it is like a definition. Chairperson Reeves asked where do we have another definition of this? She read the definition of billboard out loud to see if any of this information is in that definition and did not find that it had that a billboard cannot have more than 2 sides and that it is actually 2 signs. This here defines it better and asked the board what they thought. Roger Kwiatkowski said he can go along with that. Joe Mayoros said to leave it like it is. Chairperson Reeves said if we do not want to use the word "face" we can use the word "side". Bryan Cargould said to just take out "faces" or just make it "2 advertising sides". Chairperson Reeves agreed that is correct in the first sentence but in the 2nd sentence if we do not want to use "face" we can use "side". Bryan Cargould said for the 2nd sentence he kind of agrees with Roger and does not see that we really need it. Chairperson Reeves said then the 3rd sentence "The face shall be the readable copy area or panel devoted to advertising purposes...". Bryan Cargould said it could be changed to "surfaces" if you wanted to

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instead of “face”. Chairperson Reeves asked for input. Henry Shrock, Roger Kwiatkowski, Joy Mayoros, and Art Kvacek said he agrees with that.

Chairperson Reeves asked Lisa Murphy if she got those changes. Lisa Murphy reiterated the following changes.

First Sentence: Proposed to remove “faces of”

Second Sentence: Proposed to remove entire sentence “Each face of a billboard shall be considered a separate sign.”

Chairperson Reeves asked in the 3rd sentence if we can change “The” to “Each”. Board in agreement.

Third Sentence: Proposed to remove “The”, add “Each”, remove “face”, add “surface”
As Lisa Murphy was reading the 4th sentence it was determined that since the word “faces” was being removed there would need to have an “s” put on the end of the word sign. Board in agreement.

Fourth Sentence: Proposed to add an “s” at the end of sign and to remove “faces”
Bryan Cargould said we could take half of that last sentence away. Starting with the word “with” and ending with the word “faces” is a redundancy. Chairperson Reeves read “There shall not be more than one (1) billboard structure” and Bryan Cargould said “on a lot”, you can skip the other part and end with “on a lot” because you defined billboard structure very well above. Chairperson Reeves asked the board for their input. Henry Shrock, Roger Kwiatkowski, Joe Mayoros, Art Kvacek agrees with that. Chairperson Reeves said we are going to take out “with a maximum of two (2) sign faces”. Lisa Murphy confirmed the revised changes the board agreed upon.

REVISED Fourth Sentence: Proposed to add an “s” at the end of sign and to remove “faces” and to remove “with a maximum of two (2) sign faces”

Bryan Cargould said he and Dave Dietrich would like to back up to the introductory paragraph, page 15 under (B). Chairperson said this one we originally had no changes to. Dave Dietrich brought up a good point, the word “therefore” has an extra “e” on it probably. Chairperson Reeves thinks that might be right. Dave Dietrich confirmed it should be the therefor without the e in this case. Chairperson Reeves asked for the definition of that spelling and Dave Dietrich said it means that there is no certificate issued for that sign. Lisa Murphy did a quick search and confirmed that is how it is spelled everywhere else. This is misspelled and will be fixed in the final draft. Kathy Mayoros read out loud the definition of therefor and therefore so everyone knew what the difference was.

Bryan Cargould said the next change he thinks is needed is the word “and/or” he feels that “or” is a better choice. Chairperson Reeves said “or” to her means it is one or the other, while “and” means it is both. Bryan Cargould said “or” means we are not going to issue this one or that one. You are not getting either or. Chairperson Reeves agreed with his statement and reiterated that “and” means it is both. Inspector can only grant permit if BZA approves it. Roger Kwiatkowski said he disagrees with putting “or” instead of “and” because we need both for these conditions

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not one or the other. Bryan Cargould said it is not for the conditions it is saying the certificate will not be approved or the zoning certificate will not be issued. Dave Dietrich and Bryan Cargould agreed that it is no problem to leave it as is. Board in Agreement with all proposed changes discussed.

No further review needed

6. **714.0(B)(2) No proposed changes:** Board read it and Lisa Murphy asked if they were okay with how it is written. Dave Dietrich said this one is a big deal. Chairperson Reeves agreed and said she was on the board when John Bittance was fighting for this one. Dave Dietrich said all of the townships have put this in their books. Roger Kwiatkowski asked what does this signify. Dave Dietrich said it is the principal use. Bryan Cargould said so you cannot rent out your property out to allow a billboard to be put up on it. Farmers would rent out their fields but this will not allow that. A billboard can only be put up on the property it belongs with. Chairperson Reeves said it is a good protection for us. Bryan Cargould said it can be. Board in agreement that no proposed changes are needed.

No further review needed

7. **714.0(B)(3) Identified "face":** Lisa Murphy advised this one we just need to determine what to do with the word "face" and if everything else is okay. Chairperson Reeves asked if we want to replace or delete the word "face". Bryan Cargould said just delete it. Chairperson Reeves resaid then it will say "The sign area of a billboard". A billboard is a sign. Bryan Cargould said then we should take "sign face" out. Chairperson said so it would read "The area of a billboard". Board is in agreement with that proposed change and is ok with how everything else is written.

No further review needed

Henry Shrock said he is still trying to figure out 714.0(B)(2). To him, this is saying, If it is a 5 acre lot and there is a billboard on it then nothing else can be on it. Maybe he is reading it wrong or something. Chairperson Reeves reread it and reiterated that it shall be its principal use, so if you have a house, it will be the principle use, not the billboard. Bryan Cargould said he was reading it to be that the billboard had to be for the building that is on that same lot. Chairperson Reeves said she does not see where it says anything about a business. A sign is for a business, that is a sign not a billboard. A billboard is advertisement for something. Bryan Cargould asked her if she is saying that the only thing that can be on the lot is the billboard? Henry Shrock said that is how he is reading it. The billboard is the principle use so you could not have a business on it or anything else on it. Chairperson Reeves asked Dave Dietrich to comment on this. Dave Dietrich said this is intentional, it is a high bar. Bryan Cargould asked if a business can put up a billboard on their own lot for their business. Dave Dietrich said that would not be a billboard because a billboard is an off-premises sign. That would be a run of the mill sign, if it advertises your business on your lot, that is not a billboard. Chairperson Reeves asked if you have a house on your lot can you rent or put a billboard on the front of your lot. Dave Dietrich said no. Henry Shrock said you would have to split land off to do that. Dave Dietrich said this is a very stringent regulation. Dave Dietrich said if you support billboards then it can be taken out. Henry Shrock said he just wasn't sure how it read and wanted to clarify it. Dave Dietrich said it has not been challenged and it has worked.

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8. **714.0(B)(4) No proposed changes:** Chairperson Reeves asked the board if they are good with how this one is written. Roger Kwiatkowski read the last sentence out loud. Let's say we have a billboard near the line where Troy and Parkman borders are and there is a sign over on Parkman's side but we have to keep it 1,000 feet from there. If our sign is up first, we do not know what Parkman's rules are so we have no jurisdiction over Parkman. Do we want to say to keep them 1,000 feet from the line or does it matter? Dave Dietrich asked does this go from township to township and asked Roger if that is what he is referring to? Roger Kwiatkowski said yes, if you have something you are referring to that you want to prohibit a thousand feet apart in all direction but you have no jurisdiction past the boundary line of your township then that would not satisfy that restriction if there is no limit past the boundaries of the township. Dave Dietrich said he imagines that there is probably a couple of those around out there, but would think these types of situations are rare. Roger Kwiatkowski said he just wanted to bring this to attention and if the board wants to leave it as is that is fine. Chairperson Reeves said she thinks we can leave as it is and the board is in agreement with that. Board in agreement that no proposed changes are needed.

No further review needed

9. ****714.0(B)(5) No proposed changes:** Roger Kwiatkowski asked if we have a sign that has to be 1,000 feet apart in number 4 why are we saying 500 feet apart in this one? Henry Shrock said he is reading this one as saying it can only go up to 500 feet to a residential zoned area, is that right? Roger Kwiatkowski said that is what it says but in the previous one it is saying 1,000 feet in distance between billboards, now we are allowing it within 500 feet of a residence. Chairperson Reeves said but it is not saying that a resident can have a sign on their property. Bryan Cargould said 500 feet from residential makes sense. Roger Kwiatkowski asked how does 500 makes sense when you have to have 1,000 feet between billboards? Chairperson Reeves said residential zoning district boundary. That is just the boundary. Henry Shrock said that is just where commercial and residential split. Chairperson Reeves said yes. Roger Kwiatkowski said his opinion is that we should change it to 1,000 ft. Henry Shrock said he can go with that. Chairperson Reeves said she is okay with that. Joe Mayoros said that is fine he does not see many people putting up billboards anyways as they are too hard to put up. Art Kvacek said he is okay with it. Henry Shrock said he was going to suggest something that might make this easier by just saying there are not going to be anymore billboards in Troy. Dave Dietrich said that would be nice but there have been cases where that is a problem. Parkman had a case and lost. Roger Kwiatkowski asked if there is a state regulation that says they have to be so far away from the highway. Dave Dietrich said he thinks the only thing O.D.O.T. cares about is the outside of right away. Chairperson Reeves reiterated that we are going to propose to change 500 feet to 1,000 feet. Board in agreement with proposed change.

No further review needed

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10. ****714.0(B)(6) No proposed changes:** Chairperson Reeves asked the board if they want to propose to change 500 feet to 1,000 feet here as well? The board all agreed to the proposed change. Lisa Murphy asked the board if everything else is okay. The board acknowledged it is.
No further review needed
11. **714.0(B)(7) No proposed changes:** Roger Kwiatkowski asked why does a billboard have a special set back when a house has to a setback of 75 feet, why would you want a billboard closer to the road? Bryan Cargould said it is advertisement for the road. Chairperson Reeves said when you are saying 75 feet back from the road for a house you are protecting the people who live in the house. Nobody is living in that billboard, that is her thought. Chairperson Reeves asked from lot line, is that from behind road right of way? Dave Dietrich said yes, behind road right of way. Roger Kwiatkowski asked if that was where the telephone poles are? Dave said basically. Joe Mayoros asked what if you do not have any telephone poles in front of your property, how would you measure that, he thought they went from edge of the road? Dave Dietrich replied telephone poles are a rough idea of where it is. Henry Shrock said right of way is 60 feet. Dave Dietrich said yes, right of way is 60, so it is usually 30 feet from center line. Chairperson Reeves said then from that point it is 50 feet and asked Joe Mayoros if he wants to change it to 75 feet? Joe Mayoros said it does not really matter with all the restrictions we have on billboards it is not like anyone is going to put one up. Where are you going to put one up that is going to be 1,000 feet away from anywhere. Board in agreement that no proposed changes are needed.
No further review needed
12. **714.0(B)(8) No proposed changes:** Chairperson Reeves said this says a billboard shall be setback a minimum of 100 feet from any side lot line. Board in agreement that no proposed changes are needed.
No further review needed
13. **714.0(B)(9) No proposed changes:** Chairperson Reeves said this says a billboard shall be located a minimum of 50 feet from any rear lot line. Board in agreement that no proposed changes are needed.
No further review needed
14. **714.0(B)(10) No proposed changes:** Chairperson Reeves said this says a billboard shall be located a minimum of 500 feet from the intersection. Board in agreement that no proposed changes are needed.
No further review needed
15. **714.0(B)(11) No proposed changes:** Art Kvacek said we can do 11 the same as we did 10. Chairperson Reeves asked the board if they are good with how this one is written. Board in agreement that no proposed changes are needed.
No further review is needed
16. **714.0(B)(12) No proposed changes:** Chairperson Reeves said this says the maximum height of a billboard shall be 25 feet. Board in agreement that no proposed changes are needed.
No further review is needed
17. **714.0(B)(13) Identified "face":** Lisa Murphy advised that the board needs to determine how they want to handle the word "face" that has been identified. Henry Shrock said it should read "maximum area". Chairperson Reeves said "maximum sign area". Bryan Cargould said "maximum surface area" or "sign

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area". Chairperson asked which should it be? Lisa Murphy said if we want to keep it consistent, we should remove "sign" and "face" and replace them both with "area". Board in agreement with the proposed changes. Chairperson Reeves asked about the 400 square feet. Henry Shrock and Roger Kwiatkowski said that would be 20'x20'. Chairperson Reeves said that is pretty big. Roger Kwiatkowski said it is a billboard, it is supposed to be big. Board is in agreement that everything else is okay as is.

No further review needed

- 18. 714.0(B)(14) No proposed changes:** Board read and are in agreement that no proposed changes are needed.

No further review needed

- 19. 714.0(B)(15) No proposed changes:** Bryan Cargould asked how could 15 ever happen when we have 1,000-foot, 500-foot, how could it ever be over a driveway? Joe Mayoros said you have to have a driveway to repair it. You have to be able to get to the sign. The guy has to be able to go in his truck and get over the ditch. Roger Kwiatkowski asked what is the minimum clearance on a highway? Joe Mayoros said 13'6" is usually the minimum unless it is posted. Roger Kwiatkowski said everything is getting bigger in this world so why don't we make it bigger? Joe Mayoros said he was just talking about when they put a guy on a lift to fix or change a sign he has to have a driveway to get into. You can go 14'6", semi's are mostly 13'6". Chairperson Reeves asked if they want to change it to 13 to 14? Joe Mayoros said he thinks we should just leave it alone we are not going to have a problem with it. Board in agreement with no proposed changes.

No further changes needed

- 20. 714.0(B)(16) Identified "face":** Lisa Murphy said we have the word "face" and look at the rest to determine if there are any other proposed changes needed. Chairperson Reeves asked the board what they are going to do with "the sign face". Lisa Murphy asked if they wanted to remove "face" only and replace it with "area"? The board is in agreement with that proposed change. Lisa Murphy asked if everything else is ok. Roger Kwiatkowski said he feels we should leave everything else alone as we have talked about illumination. Bryan Cargould said there is a problem here, why would you direct the light down for a billboard? I would think we would want them to direct it up? So, it is not visible to the ground and not blinding people. Chairperson Reeves said she sees a lot of signs that have the lights coming down, on top pointing down. As long as it is pointing at the sign it would not get into anyone's eyes. She is not sure what is considered the best way. Bryan Cargould said upwards would be the best because you would not have to worry about anything in the roadway or in people's eyes. We are specifically saying they must be pointed downwards and not upwards. He believes we should say they are allowed to be pointed up. Roger Kwiatkowski said he is not sure about that. He thinks by pointing it down that some of that light would go on the ground. This would allow additional lighting for when service people come to be able to navigate around the billboard on the ground for safety purposes. Chairperson Reeves mentioned that while working on the billboard the light would be coming down on them and not coming up in their faces. Roger Kwiatkowski said he personally feels facing down is a better option than facing up for multiple reasons. Chairperson Reeves asks if anyone else has anything to add? Joe Mayoros said he feels it should be left as it is, he does not think it is a big deal and

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does not see us having billboard going up anyways. Henry Shrock and Art Kvacek feel it should be left as it is. Board in agreement that no additional proposed changes are needed.

No further review needed

- 21. 714.0(B)(17) No proposed changes:** Board read and all in agreement that no proposed changes are needed.

No further review needed

- 22. 714.0(B)(18) No proposed changes:** Roger Kwiatkowski asked if we do not have jurisdiction over electrical work but we have jurisdiction over that they have to have it done with a permit, does that require a permit from the building department? Dave Dietrich said yes, from the building department. Roger Kwiatkowski asked for confirmation that our inspector does not issue an electrical permit. Dave Dietrich confirmed no. Henry Shrock said it says Geauga County Building Department does. Roger Kwiatkowski said we do not say in here that you need a permit. Dave Dietrich said no it says that it needs to be per code and per code means you cannot do it without a permit. Joe Mayoros said electric company will not hook up to a box without a permit. Chairperson Reeves said that is just common knowledge then. Bryan Cargould said if it is not green tagged the electric company will walk away. Chairperson Reeves said that it reads proof of compliance provided by the applicant, so they would have to have some kind of paperwork from the building department. Lisa Murphy asked for confirmation that the board is ok with this as written. Board in agreement that no proposed changes are needed.

No further review needed

- 23. 714.0(B)(19) No proposed changes:** Roger Kwiatkowski said without knowing what Chapter 5516 and 5501 of the O.R.C. is I cannot say what this is. Joe Mayoros said we can research it tonight and get back to this one next meeting. Dave Dietrich said this refers to O.D.O.T. and state routes. Lisa Murphy looked those chapters up and advised that Chapter 5516 is Advertising on Interstate Highways and read a few of the section titles in that chapter and advised that Chapter 5501 is Department of Transportation. Board was satisfied with that information. Board in agreement that no proposed changes are needed.

No further review needed

- 24. **714.0(B)(20) No proposed changes:** Bryan Cargould asked if we are only allowed to have a billboard on a lot and nothing else because it is the primary how are we having buildings and determining coverage, how does all of that work? Roger Kwiatkowski said you go to the BZA and have to ask for it. Bryan Cargould said that is not what he is asking. It says right up here in number 2 "A principal use of the lot". Roger Kwiatkowski asked what his question is on number 20? Bryan Cargould said if that is its principle use and I asked the question about having other things on the lot so did Henry and we were told no the billboard is the only thing allowed on the lot. Number 20 says you can have other structures on the lot and determine area and what's going on the lot. Chairperson Reeves asked Dave Dietrich if he could answer Bryan's question. Dave Dietrich said it is probably limited use. Chairperson Reeves asked what does he mean by limited use. Dave Dietrich said by determining lot coverage, this really has little value. Chairperson Reeves said if there is an old barn on the property but the billboard is the principal use of it. Bryan Cargould asked if the barn could still be used for anything? Would the billboard even be allowed to be put up if there is a barn on the lot already? According to number 2, it cannot. Henry Shrock asked what is principal use? Bryan Cargould said that was his main question. Roger Kwiatkowski said he wants to know what his issue is on number 20. Bryan Cargould said they are tied together. Roger Kwiatkowski said

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no they are not. It says the billboard will be included in determining coverage on the lot. if you have an electrical building for that billboard that is part of the billboard. Dave Dietrich said a structure can be just about anything. Bryan Cargould said that would be part of the billboard when it was constructed. He feels this is implying that there are other buildings/structures/business that you are only allowed so many square feet of coverage. Dave Dietrich said to be honest this does not have much value. Henry Shrock said we can delete the whole paragraph. Chairperson Reeves asked for confirmation that Dave is saying we can get rid of number 20 altogether. Dave Dietrich said yes, in reality these are going to be on vacant parcels. Joe Mayoros said these are going to be such a small footprint, maybe 20 square feet, maybe not even that. Dave Dietrich said by definition of lot coverage any structure is included in determining lot coverage, so even if you do not have it here Joe can still look at lot coverage because it is defined as any structure. It is already addressed so it is ok if this is taken out. Bryan Cargould in agreement because it is conflicting. Chairperson proposed to remove number 20. Board is in agreement with proposed change. No further review needed

25. ****714.0(B)(21) No proposed changes:** *Proposed to renumber to 20* Board read and is in agreement that no further proposed changes are needed.

No further review needed

26. ****714.0(B)(22) No proposed changes:** *Proposed to renumber to 21* Board read and is in agreement that no further proposed changes are needed,

No further review needed

27. ****714.0(B)(23) No proposed changes:** *Proposed to renumber to 22* Board read and is in agreement that no further proposed changes are needed.

No further review needed

28. **714.0(B)(24) Identified "faces":** *Proposed to renumber to 23* Lisa Murphy advised that we have the word "faces" and have to review everything else to determine if any proposed changes are needed. Bryan Cargould proposed to take "sign faces" out. Henry Shrock said he agrees and read "Billboard shall be neatly painted". Chairperson Reeves confirmed the suggestion is to take out "sign and faces". Board in agreement with proposed changes to remove the words "sign faces". Board in agreement that no further proposed changes are needed. Chairperson Reeves said we are saying it has to be neatly painted or posted at all times, who makes sure it is maintained? Discussions continued on maintaining billboards, how they are structures in the township and that the zoning inspector would be the one inspecting them.

NEW BUSINESS

No new business

ZONING INSPECTOR

Zoning Inspector not present.

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NEXT MEETING

The next regular meeting will be held on April 6, 2023 at 7:00 p.m.

ADJOURNMENT

With nothing further to discuss, Chairperson Reeves asked for a motion to adjourn the meeting. Art Kvacek motioned to adjourn; Joe Mayoros seconded said motion. All in favor meeting adjourned at 8:29 p.m.

Respectfully submitted,

Lisa Murphy
Troy Township Zoning Secretary

Jeannine Reeves
Troy Township Zoning Commission Chairperson