

COPLEY TOWNSHIP BOARD OF ZONING APPEALS

October 10, 2018

1 Neal Call convened the Board of Zoning Appeals meeting at 6:00 p.m. Present were Neal Call,
 2 Russ Hose, Naureen Dar, Sylvia Chinn-Levy, Mike Pritchett and Charles Myrick. Dave
 3 Robinson has resigned his position on the Board of Zoning Appeals. Sue Schultz, Jeff Newman
 4 and Shawna Gfroerer from the Department of Community & Economic Development were
 5 present.

6
 7 Mr. Call called for a review of the minutes.

8
 9 Mr. Call noted a correction to the minutes on Page 151 Line 40 which should read “Mr. Call
 10 would recommend immediate denial”. The correction was accepted.

11
 12 **Ms. Chinn-Levy moved to approve the September 12, 2018 minutes as submitted. Mr.**
 13 **Myrick, second. Mr. Call called for the vote. The motion carried.**

14

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X			X		
Naureen Dar	X			X		
Sylvia Chinn-Levy	X	X		X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X		X	X		

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OLD BUSINESS

17

18

Applicant: Patrick Studards
Landowner: Weathermark Home Improvement LLC
Property Location: 1835 Knox Blvd
Zoning District: R-O/C (Residential-Open Space Conservation)
Purpose: Property Maintenance Code Appeal
 7.02 Condemnation-Unsafe Structure
 7.04 Condemnation-Closing of Vacant Structure

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Ms. Gfroerer stated that Mr. Newman, Code Enforcement Officer, would present the continued application for Mr. Studards as continued business.

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29

Mr. Call swore in Mr. Newman.

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31

Mr. Newman provided a review of the status of the property to date and provided the following checklist based on the October motion:

32

33

ITEM	DATE REVIEWED	COMPLETE (Y OR N)	PHOTO TAKEN
<i>Complete Roof</i>	10/09/18	YES	YES
<i>Complete Windows</i>	10/09/18	Basement windows incomplete	YES
<i>Complete Doors</i>	10/09/18	YES	YES
<i>Replace Missing Siding</i>	10/09/18	Siding is missing in rear	YES
<i>Completely secure structure with functional locks, not faulty door locks</i>	10/09/18	YES	YES
<i>Remove Boats</i>	10/09/18	YES	YES
<i>Remove Loader gone</i>	10/09/18	YES	YES
<i>Removal of tires</i>	10/09/18	NO	YES
<i>Removal of tires shown by receipt</i>	10/09/18	NO	NA

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<i>Building Dept. Approval of Permit</i>	10/09/18	UNKNOWN	NA
<i>Yard Cleared of overgrown vegetation</i>	10/09/18	NO	YES
<i>Receipt for any other improvement</i>		TBD	NA

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Mr. Newman stated that the items shown were to be completed by October 3.

Mr. Newman reviewed photos provided by Mr. Studdards relating to his progress as of October 3, 2018:



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Mr. Newman reviewed photos showing the progress of the property as of his last visit on October 9, 2018:



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13

Mr. Newman provided the following update based on his field visit:

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- Main house windows complete
- Basement windows boarded up
- Receipts have not been received for the removal or tires or any additional improvements
- Concerned about the bow in the front porch foundation
- Siding is not complete in the rear
- Debris remains on the property

23
24
25
26

Mr. Call stated that while the rear does not appear to be sided, it does appear to have some type of covering which was not there previously. Mr. Newman said it may be some type of masonry stucco.

27
28
29

Mr. Call asked if the boat, which was previously in pieces, had been removed. Mr. Newman said yes, the boat was no longer on the property.

30
31

Ms. Chinn-Levy asked if the photos were received by the deadline. Mr. Newman said yes. Ms. Gfroerer said they had been emailed by Mr. Studdards by the deadline.

32
33
34
35

Mr. Studdards said that he also had approval of the roof permit. Ms. Gfroerer brought up the permit provided on screen so that the members could view it.

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1 Mr. Studdards stated that the back porch enclosure was so damaged it had to be removed and
2 the stucco had been added which was a suitable cover for this type of home. He plans to
3 encase the windows and add steps. Mr. Studdards stated they have been working on the home
4 for approximately 20 days now.

5
6 Mr. Call asked if there were cracks in the stucco. Mr. Studdards said they had been sealed.

7
8 Mr. Studdards stated that he could not remove the remaining tires since they could not get
9 the rims off and once he did, he would get a receipt for the removal.

10
11 Mr. Call asked if the propane tank shown in the photo was part of the original debris on the
12 property. Mr. Newman said possibly, but it may have been buried under other debris which
13 is why it did not appear visible in prior photos.

14
15 Mr. Call asked how the front loader was removed. Mr. Studdards said that a guy came down
16 and removed it.

17
18 Mr. Call asked the Board members to review the checklist. He said that where the checklist
19 indicated replace siding, he would consider the stucco sufficient, he would consider the
20 removal of tires satisfied as well, but had a question about the status of the overgrown
21 vegetation. Mr. Studdards said this is continual on the property and they have removed much
22 of the overgrown vegetation from the side and front of the home.

23
24 **Mr. Call called for a motion to close the public portion of the hearing. Ms. Dar made a**
25 **motion to close the public portion of the hearing. Mr. Myrick second. Mr. Call called for**
26 **the vote. Motion carried.**

27

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X			X		
Naureen Dar	X	X		X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X		X	X		

28

29 Mr. Call called for discussion.

30

31 Mr. Hose said that it appears that a lot of work has been done, but there is still a lot of work
32 to do.

33

34 Ms. Dar agreed.

35

36 There was discussion as to the extent of the work that has been completed and that most of
37 the requirements have been satisfied.

38

39 **Mr. Call called for a motion to approve the appeal to remove 7.02 Condemnation-**
40 **Unsafe Structure and 7.04 Condemnation-Closing of Vacant Structure. Ms. Dar made a**
41 **motion to motion to approve the appeal to remove 7.02 Condemnation-Unsafe**
42 **Structure and 7.04 Condemnation-Closing of Vacant Structure.**

43

44 Ms. Chinn-Levy asked if it was possible to put a condition on this in case improvements do
45 not continue to occur. Mr. Call said this is a valid concern.

46

47 **Mr. Hose second and asked to include in the motion that should the violations become**
48 **an issue in the future, the condemnations would be reinstated. Ms. Dar agreed to the**
49 **addition. Mr. Call called for the vote. Motion carried.**

50

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Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X		X	X		
Naureen Dar	X	X		X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X			X		

1
2 **Applicant:** Joel Frezel, Watkins Lighting
3 **Business Name:** Circle K
4 **Landowner:** Spirit CK Portfolio IV LLC
5 **Property Address:** 2806 Copley Road
6 **Property Location:** Parcel: 1503674
7 **Zoning District:** C-GR (Commercial-General Retail)
8 **Proposal:** Variance: Art. 8 §8.07
9

10 **Applicant:** Joel Frezel, Watkins Lighting
11 **Business Name:** Circle K
12 **Landowner:** MACS Convenience Stores LLC
13 **Property Address:** 1456 S. Cleveland-Massillon Road
14 **Property Location:** Parcel: 1502897
15 **Zoning District:** C-GR (Commercial-General Retail)
16 **Proposal:** Variance: Art. 8 §8.07
17

18 Ms. Gfroerer provided a review of the signs which have been previously approved by the
19 Architectural Review Board in September for the Circle K locations at 2806 Copley Road and
20 1456 S. Cleveland-Massillon Road.
21

22 Applicant received approval for the following signs from the Architectural Review Board on
23 September 10:
24

- 25 1) Ground Sign
- 26 2) Awning Sign-Replace
- 27 3) Building Signs
- 28 4) Gas Pump & Air Pump Decals
29

30 Applicant is seeking approval for two (2) signs on the gas canopy.
31

32 Ms. Gfroerer stated that the applicant has revised their request for the size of the signs on the
33 gas canopy at both locations. Ms. Gfroerer stated that the applicant is now requesting the
34 following at both locations: a 6.67 sf internally illuminated panel sign to be located on the gas
35 canopy facing north and a 6.67 sf internally illuminated panel sign to be located on the gas
36 canopy facing east. Currently, there is a 9 sf internally illuminated panel sign on the gas
37 canopy facing north, a 9 sf logo decal on the gas canopy facing east and a 9 sf logo decal on
38 the gas canopy facing west.
39

40 Ms. Gfroerer stated the Department of Community & Economic Development and the
41 Architectural Review Board recommend approval of this request for both locations.
42

43 Ms. Gfroerer reviewed the status of pole lights at the 1456 S. Cleveland-Massillon Road
44 location and stated that in their discussion with the applicant, they have requested that the
45 four pole lights be removed as they do not meet the current Zoning Resolution Standards. Ms.
46 Gfroerer stated that the applicant has agreed to remove the pole lights at this location.
47

48 Mr. Call asked if the applicant was available to speak on behalf of the application. The
49 applicant was not present. Mr. Call asked that this be reflected in the minutes.
50

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1 **Mr. Call called for a motion to close the public portion of the hearing for 2806 Copley**
 2 **Road. Mr. Myrick made a motion to close the public portion of the hearing. Mr. Hose**
 3 **second. Mr. Call called for the vote. Motion carried.**
 4

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X		X	X		
Naureen Dar	X			X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X	X		X		

5
 6 **Mr. Call called for a motion to close the public portion of the hearing for 1456 S.**
 7 **Cleveland-Massillon Road. Mr. Hose made a motion to close the public portion of the**
 8 **hearing. Ms. Dar second. Mr. Call called for the vote. Motion carried.**
 9

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X	X		X		
Naureen Dar	X		X	X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X			X		

10
 11 Mr. Call called for discussion regarding the Circle K location at 2806 Copley Road.
 12

13 Ms. Chinn-Levy said that she was pleased with the downgraded request.
 14

15 Mr. Call agreed and said the new request seems functional.
 16

17 **Mr. Call called for the motion. Mr. Myrick made a motion to approve a 6.67 sf internally**
 18 **illuminated panel sign to be placed on the north facing and east facing sides of the gas**
 19 **canopy with the condition that no additional signs may be placed on the gas canopy for**
 20 **the Circle K location at 2806 Copley Road. Ms. Dar second. Mr. Call called for the vote.**
 21 **Motion carried.**
 22

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X			X		
Naureen Dar	X		X	X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X	X		X		

23
 24 Mr. Call called for discussion regarding the Circle K location at 1456 S. Cleveland-Massillon
 25 Road.
 26

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1 Mr. Call asked if the applicant is aware that there would be no additional signs permitted on
2 the gas canopy. Ms. Gfroerer said yes, they were made aware.

3
4 Mr. Call commented that the removal of the lights was a nice request.
5

6 **Mr. Call called for the motion. Mr. Hose made a motion to approve a 6.67 sf internally**
7 **illuminated panel sign to be placed on the north facing and east facing sides of the gas**
8 **canopy with the condition that no additional signs will be placed on the gas canopy and**
9 **that the four pole lights will be removed from the property prior to installation of new**
10 **signs for the Circle K location at 1456 S. Cleveland-Massillon Road. Ms. Chinn-Levy**
11 **second. Mr. Call called for the vote. Motion carried.**
12

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X	X		X		
Naureen Dar	X			X		
Sylvia Chinn-Levy	X		X	X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X			X		

13
14 **NEW BUSINESS**

15
16 **Applicant:** Leon Sampat
17 **Business Name:** Copley-Fairlawn Bus Garage
18 **Landowner:** Board of Education of Copley Local Schools
19 **Property Address:** 3395 Trumbull Ave.
20 **Property Location:** Parcel #1500177
21 **Zoning District:** R-MD (Residential-Medium Density)
22 **Proposal:** Conditional-Addition to existing bus garage
23

24 Ms. Gfroerer provided an overview of the application stating that applicant, Leon Sampart,
25 and Landowner Copley Local Schools, are proposing a 12’3” x 88’4” (1083 sq. ft.) addition to
26 the rear of the existing bus garage. The addition will match the rear elevation in like kind
27 material and will not protrude any further into the required setbacks than the current
28 existing structure. The addition is proposed in order to accommodate school buses with a
29 large front nose.
30

31 Ms. Gfroerer stated that the project proposal includes the following:
32 • INTERIOR: New wall to extend 12’ 3” to the north; infill existing 88’ 4” gap on existing
33 building; Existing wall to be removed and steel braced.
34 • EXTERIOR: Galvanized metal siding to match existing exterior, new metal roof to
35 match existing metal roof
36 • LANDSCAPE: Minimal landscape to occur. Removal of overgrown brush in
37 construction area and trimming of existing trees where needed.
38 • Project meets all other setback requirements
39

40 Ms. Gfroerer stated that both the Department of Community & Economic Development and
41 the Architectural Review Board recommend approval of this project as an extension of the
42 approved Conditional Use.
43

44 Mr. Call asked if the applicant was available to speak.
45

46 Ms. Mary Sharnsky, Director of Transportation for Copley-Fairlawn Schools was present and
47 sworn in by Mr. Call. Ms. Sharnsky stated that the expansion is requested in order to
48 accommodate larger buses and move them inside out of the cold during the winter months.
49 Mr. Call thanked Ms. Sharnsky.
50

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1 **Mr. Call called for a motion to close the public portion of the hearing. Mr. Hose made a**
 2 **motion to close the public portion of the hearing. Ms. Dar second. Mr. Call called for the**
 3 **vote. Motion carried.**
 4

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X		X		X	
Naureen Dar	X			X		
Sylvia Chinn-Levy	X	X		X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X			X		

5
 6 Mr. Call called for discussion.

7
 8 Mr. Call said the request seems reasonable.

9
 10 **Mr. Call called for a motion. Ms. Chinn-Levy made a motion to approve the expansion**
 11 **of the approved Conditional Use. Mr. Hose second. Mr. Call called for the vote. Motion**
 12 **carried.**
 13

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Vacant						
Russ Hose	X	X			X	
Naureen Dar	X		X	X		
Sylvia Chinn-Levy	X			X		
Mike Pritchett (alt.)	X					
Charles Myrick (alt.)	X			X		

14
 15 **BUSINESS FROM THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**

16 Ms. Gfroerer provided an update on commercial activities and stated that both Dan's
 17 Wholesale Carpet and Omni are in the process of expansions, Planet Fitness is complete with
 18 a ribbon-cutting ceremony and Dairy Queen should open next week. Ms. Gfroerer stated that
 19 the majority of residential activity consists of new single-family homes and deck builds and
 20 that the department processed 25 applications for a total investment of \$1.7 million in the
 21 month of September.

22
 23 Ms. Gfroerer stated that the Zoning Commission continues their work on the Land Use Plan,
 24 the Architectural Review Board continues their work on the Tree City USA application and
 25 encouraged members to consider volunteering for community work days at the Betula Build.

26
 27 Mr. Call asked if there was any Business from the Floor. There was no Business from the
 28 Floor.

29
 30 Mr. Call thanked Mr. Newman for his efforts in the Township.

31
 32 Mr. Call sated that the next meeting would be held on November 14th.

33
 34 With no further business to come before the board, the meeting was adjourned at 6:52 pm.

35
 36 Approved By: _____ Submitted By: _____
 37
 38
 39

