



Zoning & Planning Commission Meeting
July 27, 2015

Call to Order:

Chair Dennis Gordon called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call:

Present: Chair Dennis Gordon, Mayor Gene Sulzener, Rick Stallard, Kieran O'Rourke, and Pete Fontana

Approval of Minutes:

Rick Stallard made a motion to approve the minutes for the June 22, 2015, meeting. Pete Fontana seconded the motion. Aye votes all. The minutes were approved as written.

Privilege of the Floor:

Chad and Gina Young of 235 Pine Needle Drive were present. Mr. Young said that Mr. Gordon had stopped at the house on Saturday to look over the property in regards to the sidewalk concerns regarding their responsibility to install sidewalks. There was a discussion of why the Young's were sent to Zoning if Zoning could not make changes. There was a discussion about different areas in the Village being exempt because they are a private road. Mr. Young presented Chair Gordon with an older map asking about properties on Mandarin without sidewalks. After looking over the map there was a discussion about the time frame after a house is built and the time they should install sidewalks.

Mr. Young noted the original plans for the development did not include the road next to their property. Chair Gordon explained that the Medina County Planning decided to ask developers to put in cement on stub streets and then rescinded that requirement back in the early 2000's. The developer was then required when the road was connected. There was a discussion about the purpose of stub roads.

Mr. Stallard explained since there may be pending litigation the Commission is not able to comment further on the issue. Mr. Stallard said the Commission would be willing to hear their concerns. The Young's expressed they feel shut out and asked for proof of litigation. Mr. Pauley, a solicitor, explained that his supervisor, the Village Solicitor, had had a conversation with the Young's expressing a lawyer had been retained. Mr. Pauley explained that they had the floor and could air their concerns to the Commission, and the Commission would listen but could not take any perspective action on their behalf. Mr. Pauley explained the records they requested would be available during regular office hours for their review. The Young's expressed their concerns about reviewing the documentation. Mrs. Young clarified she is asking for indefinite postponement on the deadline until things can be sorted out due to everyone being on a different page. Mrs. Young expressed concerns about their home being added on an emergency basis with Resolution 2015-04 and felt it did not give them a lot of time.

Privilege of the Floor (continued):

Mr. Pauley expressed The Village will make its best efforts to make the documentation available, outside of that The Village cannot give legal advice. The Young's asked again for a recommendation for a postponed deadline. Mr. Pauley said the Commission does not have the power at this time. There was a discussion about the Commission making a recommendation. There was further discussion why the Young's were directed to the Zoning Commission. Mr. Stallard said when the Young's presented at Council they were guided to Parks & Streets and Zoning because that is where the list begins.

Mr. Young expressed they are confused on what the developer did with installing sidewalks with some properties and not others. The Young's feel they are not responsible. Mr. O'Rourke made a motion to recommend to Council to delay the proceedings for the Young's case until everything can be figured out. Mr. O'Rourke suggested six months would be a reasonable time frame. No one seconded the motion.

Chair Gordon made a motion to suspend the meeting and go into executive session to discuss possible litigation for The Village of Seville. Pete Fontana seconded the motion. Four Aye votes and Mr. O'Rourke opposed. The meeting was suspended at 7:25 p.m.

Rick Stallard made a motion to adjourn executive session and Pete Fontana seconded the motion. Pete Fontana moved to resume the regular meeting and Rick Stallard seconded the motion. Aye votes all. The meeting resumed at 7:38 p.m.

Mr. Young asked one more time for an extension. Chair Gordon explained the Commission has decided not to make the recommendation at this point under the advice of Counsel. The Young's expressed their point of view on the principle they believe that The Village is not implementing the Ohio Revised Code and their own ordinance fairly and equally on all residents.

Mrs. Schwartz shared there was another property on the resolution in addition to Mr. and Mrs. Young. Mrs. Schwartz asked the other family gets the same consideration that is decided for Mr. and Mrs. Young. Mrs. Schwartz shared her recollection of how extensions were handled in the past. Mayor Sulzener commented this is the first extension request of this type and that the Young's have a very unusual situation.

Chair Gordon apologized for not being able to allow Mr. Creadon to speak before he had to leave for work.

Zoning Inspector's Report:

The attached report was submitted by Mr. Clarkson. Mr. Clarkson stated he has received a new list of complaints and there was a discussion about the properties and how to proceed.

Economic Growth Report:

Mr. Stallard complimented the downtown businesses on their successful Center & Main Market event they held last Saturday. Mr. Stallard reported the state budget now includes the gas station clean-up fund. Mr. Stallard will be working to acquiring the grants for the two properties that could qualify.

New Business:

Mr. O'Rourke asked the Commission to consider a change in the code that covers satellite dishes. It was discussed that the Village has not received one zoning permit for a satellite dish. There was a discussion of options on how to handle the situation. The Commission will talk about Section 412 and discuss again at the August meeting.

Old & Pending Business:

Mr. Stallard said there is no new information on the Historic Application at this time. The people involved with the process are still working on the Bicentennial Celebration.

Mr. Pauley is still working on the legal options for enforcing Camelot's violations.

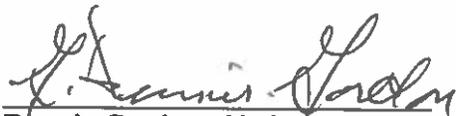
Privilege of the Floor:

Mr. Sheetz wanted to make the Commission aware that Beacon Healthcare has left and the building is for sale.

Mr. O'Rourke complimented Mr. Pauley on being selected to the Akron Bar Leadership Academy Class of 2015-16.

Motion to adjourn by Mayor Sulzener and seconded by Pete Fontana. All were in favor. The meeting adjourned at 8:24 p.m.

Respectfully Submitted,



Dennis Gordon, Chair

Zoning & Activity Report June 22- July27 2015

- 1) Talked with property owner at 40 Pleasant St. re property located at 89 W. Main St. (open burning). Police and Fire Department have visited the property and talked to the renter about burning within the Village. The Village Attorney issued an opinion as to how the situation should be handled . There have been numerous emails going back and forth on this with several council members, the Mayor, myself and Mr. Lesiak
- 2) Talked with property owner at 63 N. Center St re fencing, They needed to find back corner pins in order to issue a permit. Permit issued 7/27/2015 after marketing corner pins.
- 3) 120 Sprucewood Dr., issued fence permit, 7/1/2015
- 4) Met with owner & contractor for proposed new garage at 35 High Street. Permit issued 7/1/2015
- 5) New construction permit issued to Mason Builders, 4933 Meadow Cr, private street off Mandarin Dr., 7/1/2015
- 6) New construction permit issued for 5001 Mandarin Dr., Décor Design Construction, 7/1/2015
- 7) Met with owner of 100 Water St. re construction of new Garage, permit issued 7/7/2015

- 8) Talked to new owner of 140 W. Greenwich Rd. re fencing. Issued permit 7/7/2015
- 9) New Construction permit issued for 4993 Mandarin Dr., Décor Construction, 7/21/2015
- 10) New Construction permit issued for 4972 Mandarin Dr., 7/25/2015
- 11) New Construction permit issued for 9284 Towpath, Evan Gasser, 7/27/2015
- 12) Received a list of 8 complaints on 7/27/2015. Looked at all plus an additional 2 properties located at 41 Pleasant St. and the former Akron Products property on Milton street re grass mowing and dead trees. Talked to owner Bill Adams who said mowing will be completed within a week. Then trees cut.

Tom Clarkson
Zoning Inspector
Village of Seville

TOM LAWSON (HEWIT LAKE PROPERTY) – PROPERTY OWNER
147 CENTER STREET

EVERYTIME THE VILLAGE MOWS THE DEVIL STRIP AT THIS PROPERTY, IS IT BEING PUT ON THE TAX DUPLICATE? WHAT IS THE STATUS OF THE WHOLE VILLAGE LOT? PEOPLE ON HAZELWOOD ARE MOWING THIS ON THEIR SIDE TO KEEP THE WEEDS BACK. EYESORE TO VILLAGE.

KAREN LUQIRE – PROPERTY OWNER
216 WATER STREET

SHE IS NOT IN THE PROCESS OF MOVING. THE GRASS NEEDS MOWED, GARBAGE AND TRASH ALL AROUND THE HOUSE ALSO FURNITURE ON FRONT PORCH. THIS HAS BEEN BROUGHT TO INSPECTOR BEFORE. WHAT IS THE STATUS OF THIS?

JOHN AND SHEILA TACKETT – PROPERTY OWNERS
84 LIBERTY STREET

DO ALL OF THE CARS IN THEIR YARD HAVE CURRENT LICENSE PLATES?

VILLAGE LOT BETWEEN GRACE LANE APTS. AND 104 E. GREENWICH RD.
THE VILLAGE MOWS THE DEVIL STRIP BUT THE REALTOR, HOWARD HANNA, SHOULD KEEP THIS LOT TOTALLY MOWED. IS THIS BEING CHARGED TO THE TAX DUPLICATE? WHAT IS THE STATUS OF THE REST OF THIS VILLAGE LOT? EYESORE TO VILLAGE.

DOWNTOWN STRIP OF LAND BETWEEN 57 & 59 CENTER STREET
THE VILLAGE MOWS 10 SPRING STREET. DOES THIS STRIP THAT DOES NOT GET MOWED BELONG WITH 57 CENTER OR 59 CENTER? EYESORE TO DOWNTOWN.

STRIP OF WEEDS BETWEEN RAILROAD TRACKS AND 24 WEST MAIN STREET. CSX OWNS THIS BUT COULD THE VILLAGE KEEP IT TRIMMED FOR THE SAKE OF THE DOWNTOWN BUSINESSES THAT ARE TRYING TO IMPROVE THE LOOKS OF DOWNTOWN? EYESORE TO DOWNTOWN.

SAMIA GOHARA
PROPERTY OWNER OF 48 CENTER & 3 EAST MAIN STREET
THERE IS A CAR IN THE PARKING LOT AT 3 EAST MAIN STREET THAT HAS FLAT TIRES. DOES IT HAVE CURRENT PLATES? EYESORE TO DOWNTOWN.

ROBERT YANKEE – PROPERTY OWNER
105 E. GREENWICH RD.
PER HIS ZONING PERMIT FOR HIS AUTOMOTIVE BUSINESS, I BELIEVE HE IS TO HAVE NO MORE THAN 3 VEHICLES PARKED IN FRONT OF HOUSE. HE MOWS AROUND CARS IN FRONT YARD. EYESORE TO VILLAGE.

PAULA REED

