

Board of Zoning Appeals

Organizational Meeting

January 11, 2011

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Ch. Manley called the meeting to order at 7:07 p.m.

Roll Found: Manley, Hoop, Zeleznak and Mainzer present. Also present were Trustees Catherwood and Schulte.

Ch. Manley stated that Vice Ch. Fox has an excused absence.

Ch. Manley called for nominations for Chairperson. Mr. Zeleznak nominated Dave Manley. Ms. Mainzer seconded the nomination. No others were nominated.

Vote: Manley – yes, Hoop – yes, Zeleznak – yes, Mainzer – yes

Ch. Manley noted that he recently met with the County Prosecutor and they discussed that the alternates should not have been allowed to participate in the discussion of the Duncan Factors or take any part of the hearing at all. He also noted that the alternates should not show up in the meeting minutes at all. Ch. Manley noted that the alternates are under the control of the trustees, who write the procedures.

Trustee Catherwood noted that under the ORC 519.13, the alternates will be notified of the hearings and are paid observers of the hearing and can be used to replace the absent board members. She also noted the Trustees have no authority over the BZA but they do have authority over the alternate members.

Mr. Zeleznak asked about compensation for the alternate members at the site inspections as it was noted they are not compensated for it. Ch. Manley noted that per the county prosecutor's office, they do not need to go, but can go as observers as can any member of the public. Then if they get called up, it is on their accord to get up to speed and make the site visit themselves. Trustee Catherwood noted that the Trustees can ask the alternate members to go if they choose.

Ms. Mainzer asked if the alternate members would sit at the front, side or in the audience. Ch. Manley noted they cannot sit up front as it would appear it is a 7 person Board and not 5 as allowed. All agreed that they could sit off to the side at a side table.

Ch. Manley noted that the ORC does not require a vice chairperson. The Board can have one or they can assign a person if the chairperson knows they will be absent.

Ch. Manley read the Trustees resolutions regarding the Board members pay scale and also that all Board members are required to attend at least one continuing education seminar per year.

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Ch. Manley asked the board if they would prefer to shut down in February and work in August. After discussion, it was decided to leave the schedule as is where the Board will work in February and shut down in August.

Ch. Manley noted that they will review the BZA Organizational Procedures. Ch. Manley noted that pages 1 and 2 were the same at 2011. He noted that page 3, items 19 and 20 were new. Mr. Zeleznak noted a grammatical error in item 19, the last sentence should state “and *their* yes/no vote” in lieu of there. There were no other comments.

Ch. Manley asked for a motion to approve the BZA Organizational Procedures with corrections as noted. Ms. Mainzer moved and Mr. Hoop seconded.

Vote: Manley – yes, Hoop – yes, Zeleznak – yes, Mainzer – yes

Ch. Manley noted that they will review the BZA Public Hearing Procedures. He noted there are no revisions from 2011. There were no comments.

Ch. Manley asked for a motion to approve the BZA Public Hearing Procedures as written. Ms. Mainzer moved and Mr. Zeleznak seconded.

Vote: Manley – yes, Hoop – yes, Zeleznak – yes, Mainzer – yes

Ch. Manley noted there are four other pages for information. The first two are from the zoning department, one is for applicants for a variance request and one is for applicants for a conditional use request. The third page is the decision form that is signed the evening of the hearings. The fourth page indicates professional costs for various applications. This is just for the Boards informational use only.

Ch. Manley noted there is no need for a meeting on February 8, 2012 to just approve the minutes. Therefore the next meeting will be tentatively scheduled for February 22, 2012. There is a possibility of a hearing. Ch. Manley assigned Dave Zeleznak as the acting chair person for the meeting since he will not be at the meeting nor will Ms. Fox. He noted that Ms. Calabro will need to be called up for the hearing.

Ch. Manley made a motion to adjourn the Organizational Meeting. Ms. Mainzer moved and Mr. Zeleznak seconded

Vote: Manley – yes, Hoop – yes, Zeleznak – yes, Mainzer – yes

Meeting was adjourned at 7:35 p.m.

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Todd Gienger, Recording Secretary

Minutes Approved: _____, 2012

David Manley, Chairman

(Excused)
Dottie Fox, Member

Jeff Hoop, Member

Dave Zeleznak, Member

Julie Mainzer, Member