DATE: January 24, 2017
TIME: 7:00 PM
LOCATION: Genoa Township Hall, 5111 S. Old 3C Hwy., Westerville, Ohio 43082
AGENDA ITEMS: BZA (2017-02) Epcon – Conditional Use, Permanent ID sign, Whitetail Meadows
BZA (2017-03) Epcon – Variance, fence height

CALL TO ORDER
Mark Harmon called the meeting to order at 7:02 p.m.

ROLL CALL

<table>
<thead>
<tr>
<th>MEMBERS PRESENT</th>
<th>MEMBERS ABSENT</th>
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<tbody>
<tr>
<td>Mark Harmon, Chair</td>
<td>Teresa Yu</td>
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<tr>
<td>Mark Phillips</td>
<td>Dorothy Driskell, Alt.</td>
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<tr>
<td>Sara Walsh, Vice-Chair</td>
<td>Cybele Smith</td>
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<td>David Buhn, Alt.</td>
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MINUTES
The board reviewed meeting minutes presented by the Genoa Township Development and Zoning Department for the hearings held on December 20, 2016.

MOTION: Mark Phillips moved to approve the December 20, 2016, meeting minutes, as presented.

Motion was seconded by Dorothy Driskell. Roll call: Dorothy Driskell, yes; Mark Phillips, yes; Sara Walsh, yes; Teresa Yu, yes; Mark Harmon, yes.
Motion carried.

ANNOUNCEMENT
Mark Harmon announced that the applicant for BZA 2017-01, Vince Romanelli, informed staff in writing on January 19, 2017, that he was withdrawing his application. As such, the hearing scheduled for this evening will not be held as the Application is no longer being considered by the Township.

PUBLIC HEARING
Mark Harmon called the following hearing to order at 7:05 p.m., read the legal notice and asked everyone who wished to speak to this matter to sign-in and to stand. Those standing were sworn-in.

“Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God!”

EPCON COMMUNITIES, ON BEHALF OF THE WHITETAIL LANE PROPERTY OWNERS, REQUESTING A CONDITIONAL USE PERMIT PER SECTION 1804.02 OF THE GENOA TOWNSHIP ZONING RESOLUTION TO ALLOW A PERMANENT FREESTANDING IDENTIFICATION SIGN FOR THE WHITETAIL MEADOWS SUBDIVISION. THE PROPOSED SIGNAGE WOULD BE LOCATED ON LOT 4671 AT THE ENTRANCE TO THE WHITETAIL MEADOWS SUBDIVISION, ZONED SUBURBAN RESIDENTIAL (SR) (BZA 2017-02).

The following were marked as exhibits “A” – “D”.
Exhibit “A” – Legal Notice
Exhibit “B” – Sign-in Sheet
STAFF REPORT: Susan Dorsch, on behalf of the Genoa Township Development and Zoning Department, gave an overview of the staff report. She provided a brief history of the events leading up to the submission of the Conditional Use application. Ms. Dorsch stated that a Conditional Use Permit was required under Section 1804.02 of the Zoning Resolution for Installation of signage at the entrance to a subdivision that does not have Final Development Plan approval.

During Staff's presentation, Chair Mark Harmon asked if there was a Homeowners Association or Civic Association for the Whitetail Meadows Subdivision. He also asked if the property owner or any residents from the Whitetail Meadows Subdivision were in attendance for this hearing. It was noted that neither the property owner nor any members of the subdivision were in attendance. Mr. Harmon questioned why Epcon was applying for approval to install a sign on property that was not part of their development project.

Todd Pomorski, Epcon Communities, introduced himself as the person representing the application. He indicated that the Whitetail Meadows subdivision did not have a H.O.A. or a Civic Association. He explained that installation of the sign and entrance features for Whitetail Meadows are part of an agreement made between Epcon and the Whitetail Lane residents.

Discussion continued between the Board, the Applicant and Staff regarding the height of the proposed sign and the code restrictions, the requirement of an ongoing maintenance agreement for the sign and the surrounding landscaping. They also discussed the need for an easement for access to the sign and landscaping if maintenance of the sign and landscaping would be done by other residents in the Whitetail Meadows Subdivision. The Board questioned whether there was an agreement for maintenance between Epcon and the affected property owner.

Several Board members stated that the signature on the application was not the affected property owner's signature. The signature was someone signing for him. The Board determined that the following items needed to be addressed before they could proceed with the hearing:
1. The property owner, Guido Ricevuto must sign the application for it to be valid.
2. A document authorizing Epcon to represent the property owner at the hearing was needed or ideally the property owner would attend the hearing.
3. A signed maintenance agreement must be provided as required by Section 1804.02 C.
4. If the sign and landscaping will be maintained by other members of the Whitetail Lane Subdivision, an easement needs to be recorded to allow access to the area.

Because of the number of outstanding items, the applicant's representative, Todd Pomorski, requested that the hearing be continued until next month so Epcon could obtain authorization for Epcon to represent the property owner, Guido Ricevuto and to prepare additional items as needed.

MOTION: Teresa Yu moved, to continue BZA 2017-02 until February 28, 2017, giving the applicant an opportunity to prepare additional documents for consideration by the Board. Any additional materials to be reviewed by the Board will be due in the Genoa Township Development & Zoning Department by Tuesday, February 14, 2017 by 4 p.m.

Motion was seconded by Dorothy Driskell.

Discussion on Motion: None
Roll call: Dorothy Driskell, yes; Mark Phillips, yes; Sara Walsh, yes; Teresa Yu, yes; Mark Harmon, yes. Motion carried.

Mark Harmon announced the hearing closed at 7:33 p.m.

Mark Harmon called the following hearing to order at 7:34 p.m., read the legal notice and asked everyone who wished to speak to this matter to sign-in and to stand. Those standing were sworn-in.

"Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

**EPCON COMMUNITIES, ON BEHALF OF WHITETAIL LANE PROPERTY OWNERS, REQUESTING A VARIANCE FROM SECTION 2002.03 OF THE GENOA TOWNSHIP ZONING RESOLUTION TO ALLOW A 48 INCH HIGH FENCE BETWEEN THE STREET RIGHT-OF-WAY AND THE BUILDING SETBACK LINE TO BE LOCATED ON LOT 4650 AND LOT 4671 ALONG THE ENTRANCE TO THE WHITETAIL MEADOWS SUBDIVISION, ZONED SUBURBAN RESIDENTIAL (SR) (BZA 2017-03).**

The following were marked as exhibits “A” – “D”.

- Exhibit “A” – Legal Notice
- Exhibit “B” – Sign-in Sheet
- Exhibit “C” – Application
- Exhibit “D” – Staff Memorandum, dated January 24, 2017

Sara Walsh brought to the Board’s attention that the signature on the Variance application form, like the previous application, was not that of the property owner, Guido Ricevuto. The Board determined that they could not proceed with this hearing until the signature of the property owner was obtained.

The applicant’s representative, Todd Pomorski, requested that the hearing be continued until next month so they could obtain the proper signatures from the property owner and authorization for Epcon to represent the property owner.

**MOTION:** Sara Walsh moved, to continue BZA 2017-02 until February 28, 2017, giving the applicant an opportunity to obtain the property owner’s signature on the Variance Application form. Any additional materials to be reviewed by the Board will be due in the Genoa Township Development & Zoning Department by Tuesday, February 14, 2017 by 4 p.m.

Motion was seconded by Mark Phillips.

Discussion on Motion: None

Roll call: Dorothy Driskell, yes; Mark Phillips, yes; Sara Walsh, yes; Teresa Yu, yes; Mark Harmon, yes. Motion carried.

The hearing closed at 7:37 p.m.

**ADJOURNMENT**
Dorothy Driskell moved to adjourn this meeting at 7:37 p.m. Motion was seconded by Teresa Yu. All voted yes. Motion carried.

Meeting was adjourned at 7:37 p.m.

PUBLICATION OF LEGAL NOTICE:
The legal notice for this meeting was printed and published on January 11, 2017, in the Delaware Gazette and posted at the Genoa Township Hall on January 9, 2017. Notice of this meeting was also mailed to the adjacent property owners.

PREPARED BY:  

Susan Dorsch, Development and Zoning  

Date Prepared:  

2/1/2017

BOARD OF ZONING APPEALS APPROVED:  

Mark Harmon, Chair  

Date Approved by the Board of Zoning Appeals:  

3/28/2017

OTHERS PRESENT AT MEETING

Susan Dorsch, Genoa Township Development and Zoning