

**City of Norton**  
**BOARD OF ZONING & BUILDING APPEALS**  
**Tuesday, July 16, 2013**

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Don Welch called the meeting to order at 6:00 p.m.

**I. ATTENDANCE:**

**PRESENT:** Don Welch, Marty West, Ed Noble, William Courson,  
Angie Wells

**EXCUSED:** Bill Helmick

**ALSO PRESENT:** Russ Arters, Supt. of Building and Zoning

**II. SWEARING IN:**

Chairman Welch reviewed the procedural requirements for that night's hearing. Chairman Welch proceeded by stating that this was a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Welch administered the oath to those intending to speak at the hearing.

**III. PUBLIC HEARINGS:**

- A. **BZA Application A5-2013**  
**3160 Barber Road/PPN #4608907 and 4603653**  
**Diamond Unlimited, LLC, Owner**  
**Speedy Wash & Lube – Fred Martin**  
**Requesting a Variance**  
**[For Sign Variances – Barber Road]**
  
- B. **BZA Application HO6-2013**  
**3925 Harper Ave PPN #4602426**  
**Robert and Kristina Shirley, Owners**  
**“Hello Good Dog”**  
**Requesting a Type B Home Occupation**  
**[For Dog Obedience Training Outside of Dwelling]**

Chairman Welch announced anyone wishing to speak at tonight's meeting should please sign-in at the front podium.

Chairman Welch announced the application and stated the application was filed Monday, July 1, 2013, and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and state his name and address for the secretary, and present pertinent information regarding the application.

Mr. Tony Cerny, 620 Smith Road, Medina, Ohio, 44256, Agent, approached the podium. Mr. Cerny stated he was proposing a total sign package for Fred Martin - Speedy Car Wash and Lube on Barber Road. He said some of the signs fall outside of the current zoning restrictions and would require a variance. He said on Sign Number One, the business would like this sign to match the current signs in the district. He said it would look similar to the existing signs at Fred Martin. He stated the signs would all be similar for consistency and would be more visible. Mr. Courson asked if this sign would be back-lit. Mr. Cerny stated yes, the sign would be back-lit. Mr. Cerny stated Sign Number Two would be the entrance and exit signs. He stated these signs were necessary to control the circulation of people and cars for safety reasons. He stated Sign Number Three were signs for the Tower. He stated this was a sign with four sides that would be visible from all four sides of the building. He stated this sign would also be visible from the expressway for safe entrance and exits. He stated Sign Number Four would be over the main entrance. He stated all signs across the front were under the City's allowable restrictions. He stated Sign Number Five was actually several exit and entrance signs with arrows to attach above the large doors for traffic flow. He said Sign Number Six was a Car Wash Sign, and Sign Number Seven was an Oil Change Sign. He said Signs Eight, Sign Nine, Sign Ten and Sign Eleven were directional signs for traffic entering at the south side lane to go through either the Car Wash Lane or the Oil Change Lane. Mr. Arters stated this layout was tough to figure out, but the directional signs and road signs were all allowable for the square footage. Mr. Arters stated the Variance tonight was actually for four signs. He said the signs included were the Pole Sign, the Right of Way Sign and the signs out in front of the building. Mr. Courson asked if the Tower Sign was illuminated. Mr. Cerny stated it would be. He said they needed the proper signage to help with the safety of the vehicles. Chairman Welch stated that on the blueprint there was only one entrance sign but two exit signs. He asked why the two exit signs. Mr. Cerny stated they needed adequate room for exits. He stated they would need a relief point in case of high traffic to that area. Mr. Arters stated the Site Plan was approved on the exit areas. Ms. Wells asked if the base of the Tower Sign was solid. Mr. Cerny stated it was a solid base and at an adequate distance from the concrete apron. Ms. Wells asked if vehicles could see around the apron to approaching traffic. Mr. Arters stated this sign was behind the Right of Way about one and a half feet. Ms. Wells asked if it was necessary to have the word "Speedy" on the entrance and exit signs. Mr. Cerny stated he thought it would help, but could change them if necessary. Mr. Courson asked what type of finish would be used on the outside of the building. Mr. Cerny stated it would be a split-faced building, with two colors and a smooth aluminum finish.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Ms. Wells moved to approve, Mr. Noble seconded the Motion. ROLL CALL: Ms. Wells-Yes, Mr. Noble-Yes, Mr. West-Yes, Mr. Welch-Yes, Mr. Courson-Yes. Motion was approved 5-0.**

Chairman Welch stated the Application was approved. He thanked the applicant and advised the applicant to see Mr. Arters for the proper permits.

Chairman Welch announced the next application and stated the application was filed Tuesday, June 25, 2013, and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and state his name and address for the secretary, and present pertinent information regarding the application.

Mr. Robert Shirley and Ms. Kristina Shirley, of 3925 Harper Avenue, Norton, Ohio, 44203, Owners, approached the podium. Ms. Shirley stated she was asking to start a dog obedience business. She said she has worked at Petco and knows that Pet Parents are in need of assistance. She said she felt like this was a good opportunity to help them out. Mr. Shirley stated the packet the Board had in front of them had a location map and business hours. He stated they were fully insured and the business would be outside of the residence. Chairman Welch asked if they would be boarding any of the animals. Ms. Shirley stated they would not have any of the animals overnight. She stated the animals all go home with their Pet Parents. Mr. Courson asked what the difference was between dog obedience training and behavioral training. Ms. Shirley stated obedience training was more general training, like sit, stay and stop. She said behavioral training was more for animals with biting issues, fear issues or rescue dogs needing more assistance. Ms. Shirley stated there are no aggressive dogs in obedience training. Ms. Shirley stated a person that helps with behavioral training needs to be certified. Mr. West asked if there was adequate parking on that road. Mr. Shirley stated there was no specific parking for the area, but there would not be more than five people or cars on the road. Mr. Courson asked if the business was for the summers only. Mr. Shirley stated they would have the business open all year, as the weather permitted, summer and winter. He stated the summer hours would be busier. Ms. Wells asked if the dogs would always be on a leash. Ms. Shirley stated they would be on a leash from their cars to the yard.

Chairman Welch asked if anyone wanted to speak for or against the application.

Mr. Rob Wheatcraft, 3949 Harper Road, Norton, OH, 44203, approached the podium. He stated he lives next to the Shirley's. He said he thought starting up a business in this economy was a good idea. He stated their road was a dead-end road and parking would not be an issue. He said he felt this Home Occupation should be approved.

Ms. Wells asked if the Board could look at this Home Occupation after one year. Mr. Arters stated the Board could write a Condition that they revisit this business after a year. Ms. Wells stated she thought that would be a good idea. She stated if there were neighbor complaints or parking issues this would be a good idea. Mr. Arters stated as to this date, he has had no Home Occupations with complaints of past hours, parking, etc. Mr. Courson stated he would also like the Zoning Inspector to follow up after a year.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Courson moved to approve with Conditions, Mr. Noble seconded the Motion. ROLL CALL: Mr. Courson-Yes, Mr. Noble-Yes, Mr. West-Yes, Mr. Welch-Yes, Ms. Wells-Yes. Motion was approved 5-0.**

Chairman Welch stated the Application was approved with Conditions. He thanked the applicant and advised the applicant to see Mr. Arters for the proper permits.

#### **IV. OLD BUSINESS:**

Chairman Welch asked if there was any old business. There was none.

**V. NEW BUSINESS:**

Chairman Welch asked if there was any new business.

Chairman Welch asked what was happening with Barberton Speedway. Mr. Arters stated it was going into foreclosure. Mr. West asked if anything was new with the Red Pepper building. Mr. Arters stated there was nothing to report on that building.

**VI. CONSIDERATION OF MINUTES:**

Chairman Welch asked if there were any additions or corrections to the minutes of Tuesday, May 21, 2013. **Hearing none, the Chairman asked for a motion. Mr. Courson moved to approve the minutes as written, seconded by Mr. West. ROLL CALL: Mr. Courson-Yes; Mr. West-Yes, Mr. Welch-Yes, Ms. Wells- Abstain, Mr. Noble-Abstain. Motion carried 3-2 to accept the April 16, 2013 minutes as written.**

**VII. ADJOURNMENT:**

There being no other business before the Board, the Chairman adjourned the meeting. The Board's next scheduled meeting will be Tuesday, August 20, 2013, at 6:00 PM.

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Board of Zoning & Building Appeals  
Chair/Vice-Chair

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Board of Zoning & Building Appeals  
Vice-Chair/Member

\_\_\_\_\_  
Date

**\* ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL \***