

April 9, 2012

The regular monthly meeting of the Richfield Township Zoning Commission was called to order at 7:07pm by Chairman Mike Morrin. Those in attendance were Myra Condon, Mike Morrin, Don Reideler, Doug Ronau, Cliff Williams, Alternate Rob Lucarelli and Zoning Inspector, Ron Smith. Also in attendance were John Borell, Assistant Lucas County Prosecutor, Don Eisel, Trustee, John Hassen, Trustee and several members of the community.

The minutes of the March, 2012 meeting were read and approved to be filed. Roll call: Mrs. Condon, yes; Mr. Morrin, yes; Mr. Reideler, yes; Mr. Ronau, yes and Mr. Williams, yes.

The first order of business was a continuation of the dispute between Leonard Rosinski, 11515 W. Central and Russ Kadri, owner of the Road House.

Mr. Rosinski reported that the salt bin has been removed, only 1 truck sits on the property and he will apply for variance to operate his lawn care business. Mr. Ronau has inspected the property and all is in order.

Mr. Kadri stated that his concern was for the future. He acknowledges that all violations against Mr. Rosinski have been addressed. He has appealed with the Lucas County Health Department about the removal of his patio. He states as of this date, his appeal is still in review. Mr. Kadri apologized to the Commission for his inappropriate behavior at the March meeting.

Mr. Rosinski pointed out to the Commission that Mr. Kadri's patio has a roof over it with electric and water. He said that Mr. Kadri did not pull a rat wall. He states that the patio is attached to the main building and that Mr. Kadri did not obtain a permit when he built the patio. Mr. Kadri said that the patio was free standing with the exception of approximately 5 feet which is attached to the main building. He further stated that he did not know a permit was necessary when he built the patio. He confirmed that he is aware that the property is non-conforming.

After lengthy discussion, Mr. Borell pointed out that this is not an issue for the Zoning Commission. Special Use permits go before the Zoning Commission. Zoning violations are to be reported to the Zoning Inspector. If the Zoning Inspector finds that there are violations, he refers the matter to the Board of Zoning Appeals. Mr. Borell agreed to stay after the meeting to further discuss this matter with the principals involved in this case.

The second issue discussed was the request by Mrs. Rosinski for the Township to adopt a noise ordinance. Mr. Borell advised that a noise ordinance is not a Zoning matter. A Zoning Commission has limited authority. He said that Zoning falls under State statute. Zoning Regulations are all chopped up. Mr. Borell said that noise ordinances would be something the Trustees would consider. He will forward a sample of a Township noise ordinance to the Trustees. Township noise ordinances are different from city or village

ordinances. The Lucas County Sheriff has the authority to enforce in a Township. Agricultural vehicles are not subject to a noise ordinance. He further stated that the Road House would fall under the ordinance. The establishment may be grandfathered in as a non-conforming business but Mr. Kadri must still comply with a noise ordinance. Mr. Rosinski asked if Mr. Borell would write an ordinance in plain English. Mr. Borell said it must be written as it appears in the statute. Not many Townships have noise ordinances other than Jerusalem, and perhaps Washington. A proposed resolution will be sent by Mr. Borell to the Trustees. The Sheriff would respond to a call but nothing would be done prior to 10:00pm. Mr. Rosinski said that music is played loudly past midnight at the Road House.

The Commission asked Mr. Borell about the blight and junk cars at 10919 W. Central. He reviewed photographs taken of the property. He said that the age of the vehicle, damage and whether there is a title must be taken into consideration. Mr. Borell advised the Commission to focus on the blight. With blight, the Township must remove it and the cost of removal would be applied to the owners' property taxes. Mr. Borell said that this could place a financial hardship on a Township because it could take 2 years or longer to recoup the expenditure. It is known that the property owner is already in the Sylvania Court system but Mr. Borell said the Court is not historically aggressive in Township matters.

The concerns of the community were concluded and the regular meeting commenced.

Old Business:

Mr. Smith reported that Mr. King has obtained historical plates for the vehicle sitting on his property. Further attempts to have the vehicle removed will be aborted.

Jeff Smith, Miller Road, is installing a drive on the property. The Zoning Inspector spoke with Robert Newberg, Lucas County Drainage. He found that a 30 day temporary permit was issued in March. He was unsure if an extension had been applied for. Dirt is being hauled to the drive location.

New Business:

Mr. Reideler reported that a resident on Miller Road has complained about the exterior lighting at Christ the Word Church on W. Central. There are no specific regulations in the Zoning Resolutions regarding lighting.

Gerald Rosinski, owner of 13 acres in the Township, asked Mr. Borell if he could raise a barn without first building a house. Mr. Borell cautioned him that the barn must be used for agricultural purposes only. The Zoning Inspector has the right to inspect the barn to make sure he is in compliance.

The Commission thanked Mr. Borell for attending the meeting and at 8:35 pm Mr. Williams moved to adjourn the meeting. His motion was seconded by Mr. Reideler. Roll call: Mrs. Condon, yes; Mr. Morrin, yes; Mr. Reideler, yes; Mr. Ronau, yes; Mr. Williams, yes.

Respectfully submitted,

Myra Condon, Secretary