

The City of Streetsboro
Board of Zoning and Building Appeals



AGENDA

Organizational & Regular Meeting

March 19, 2024 | 7:00 p.m. | 555 Frost Rd. Streetsboro, Ohio 44241

- I. Call to Order – *Mayor Broska***
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Nomination and Election of a Chairperson** (*Mayor turns meeting over to new Chairperson*)
- V. Nomination and Election of a Vice Chairperson**
- VI. Discuss the 2024 Rules and Regulations for the Board of Zoning and Building Appeals**
- VII. Adopt the 2024 Rules and Regulations for the Board of Zoning and Building Appeals**
- VIII. Disposition of Minutes**
March 21, 2023; June 20, 2023; July 18, 2023; August 15, 2023; November 21, 2023; December 19, 2023
- IX. BZBA Member Training Workshop**
- X. Citizens' Comments**
- XI. Board Member Comments**
The next regularly scheduled Board of Zoning and Building Appeals meeting will be held on Tuesday, April 16, 2024 at 7 p.m. in the Council Chambers at City Hall, 555 Frost Rd.
- XII. Adjourn**

STREETSBORO BOARD OF ZONING AND BUILDING APPEALS

MINUTES

March 21, 2023

Note: These minutes were composed by extracting pertinent information and key points of testimony from an audio recording of the meeting. For detailed information and verbatim statements, the audio recording of this meeting is available upon request.

CALL TO ORDER: Chairman Bross called the March 21, 2023 regularly scheduled hearing of the Board of Zoning and Building Appeals to order at 7:02 p.m. in City Council Chambers at 555 Frost Rd. Streetsboro, Ohio 44241.

PLEDGE OF ALLEGIANCE

ROLL CALL: Five board members were present including: Matt Bross, Todd Cooper, Walter Kancyan, Anthony Madden, and Marvin Woods. Two board members absent: Aaron Hatzo and Doug Liebler. Also present: Planning and Zoning Director John H. Cieszkowski Jr., Assistant Planner Jimmy Hoppel, Law Director Paul A. Janis, and Clerk Angella Fausset.

Mr. Madden made a motion to excuse the absence of Mr. Hatzo, Doug Liebler. Motion seconded by Mr. Woods. By voice vote, motion carried unanimously.

Chairman Bross read the rules of how the meeting is to proceed from Article 8.

NEW BUSINESS:

3500 Crane Center Drive

Accurate Steel

Application #VRA23-3.

Parcel # 35-006-00-00-001-002

Zoning District: I-1

Applicant Angelique Miller/Signs 330 on behalf of Accurate Steel, is requesting a 152-square foot variance from Section 1159.16(b) to allow for a 192-square foot wall sign as code permits a maximum area of 40 square feet for wall signs for industrial uses.

The chairman swore in Dan Bond, Operations Manager for Signs 330, 118 South Main Street, Monroe Falls, Ohio. Mr. Bond explained that the variance was sought to replace an existing wall sign from a previous tenant with a sign that is visually similar with a monument sign located at the other Accurate Steel, adjacent to this property. There is an existing, similar-sized wall sign from the previous tenant but that sign was constructed without a variance or any approval from the City. Jimmy Hoppel clarified to the board about other variances in the area, with the confirmation that no previous variances were granted for this property. Accurate Steel is a new tenant to the existing building, and any violations would have been the responsibility of the previous tenant. As a result, the new tenant is applying for a variance as a corrective action while submitting application for their new signage.

The Board members asked if the applicant had worked with the Planning Department on reducing the size of the sign, and if the size of the sign was appropriate for the building. Jimmy noted that he had discussions in a pre-application meeting with Angelique, another representative from Signs330, and explained that the request should be the minimum amount necessary. Board members inquired about zoning enforcement of signs constructed without permits. Acknowledging that the code maximum of 40 square feet for a wall sign for an industrial building is small, the Planning Director explained to the Board the ongoing efforts to update the sign regulations to align with the specific needs for industrial uses.

MOTION

Mr. Madden: I hereby move on this 21st day of March 2023, that the Streetsboro Board of Zoning and Building Appeals grant 3500 Crane Center Dr., Streetsboro, OH 44241 PPN #35-006-00-00-001-002, a 152-

square foot variance from Section 1159.16(b) to allow for a 192-square foot wall sign as code permits a maximum area of 40 square feet for wall signs for industrial uses. Per the site plans received in application #VRA23-3 on February 1, 2023 from the applicant, Angelique Miller/Signs 330.

Motion seconded by Mr. Woods.

Roll Call Vote

Mr. Madden: Yes	Mr. Woods: Yes	Mr. Cooper: Yes	Mr. Kancyan: Yes
Mr. Bross: Yes	Mr. Hatzo: (absent)	Mr. Liebler: (absent)	

Mr. Madden: I am in a quandary on this. I absolutely recognize that you need more than 40 square feet for wall signage, and I recognize that you are only asking to paste over what somebody else did. Just 152 square foot variance just seems so much for me; but it is in an industrial center, smack dab in an industrial center. I don't think it's going to hurt the other buildings, or the area so, I am reluctantly saying yes; but I really think you're asking an awful lot.

Mr. Woods: I believe that having this sign up there as safety to the drivers going by is more visual for them to see it and so, I vote yes for safety.

Mr. Cooper: I vote yes.

Mr. Kancyan: I'll cite in Duncan versus Middlefield, number three as a yes vote; as it helps to promote some neighborhood harmony.

Mr. Bross: To piggyback on Mr. Kancyan and Mr. Woods' point about harmonious, there are other neighboring buildings that have it, and there's definitely a safety feature, I believe. I'm not sure what kind of true hardship though was outright demonstrated here but, that's what I was looking at even before they verbally conveyed that. So not that it matters anyway, it's already been decided, but I also do vote yes.

Yes – 5 No – 0

Motion passed; variance granted.

BOARD MEMBER COMMENTS:

Announcements: The next regularly scheduled Board of Zoning and Building Appeals meeting will be held on Tuesday, April 18, 2023 at 7 p.m. in the Streetsboro Municipal Building located at 555 Frost Road.

The work session scheduled to follow the meeting was postponed until after the April meeting, contingent upon the attendance of all board members.

ADJOURNMENT: There being no further business before this Board a motion to adjourn was made by Mr. Madden and seconded by Mr. Kancyan, upon voice vote the meeting was adjourned at 7:25 p.m.

ATTEST:

Angella M. Fausset
Clerk

Matt Bross
Chairperson

STREETSBORO BOARD OF ZONING AND BUILDING APPEALS

MINUTES

June 20, 2023

Note: These minutes were composed by extracting pertinent information and key points of testimony from an audio recording of the meeting. For detailed information and verbatim statements, the audio recording of this meeting is available upon request.

CALL TO ORDER: Chairman Bross called the March 21, 2023 regularly scheduled hearing of the Board of Zoning and Building Appeals to order at 7:04 p.m. in City Council Chambers at 555 Frost Rd. Streetsboro, Ohio 44241.

PLEDGE OF ALLEGIANCE

ROLL CALL: Four board members present including: Matt Bross, Walter Kancyan, Anthony Madden, and Marvin Woods. Three board members absent: Aaron Hatz, Tood Cooper and Doug Liebler. Also present: Planning and Zoning Director John H. Cieszkowski Jr., Assistant Planner Jimmy Hoppel, Law Director Paul Janis, and Clerk Angella Fausset.

Mr. Madden made a motion to excuse the absence of Mr. Cooper and Doug Liebler. Motion seconded by Mr. Kancyan. By voice vote, motion carried unanimously.

Mr. Kancyan made a motion to NOT excuse the absence of Mr. Hatz. Motion seconded by Mr. Woods. By voice vote, motion carried unanimously.

DISPOSITION OF MINUTES: Mr. Madden made the motion to approve the minutes as submitted for August 16, 2022 and September 20, 2022. Motion seconded by Mr. Woods. Upon voice vote, motion carried unanimously.

Chairman Bross read Article 8 from the Rules and Regulations of how the meeting is to proceed.

NEW BUSINESS:

160 Diamond Drive

Residential Deck

Application #VRA23-5

Parcel # 35-052-10-00-084-000

Zoning District: R-1

Applicant Charlene McKenna is requesting a 19-foot rear setback variance from Section 1127.04(b) to allow for the construction of a deck with a rear yard setback of 31-feet as code requires 50-feet.

The chairman swore in Charlene McKenna, 160 Diamond Dr. Streetsboro, Ohio 44241. Charlene McKenna described the deck that she and her husband Joseph we're applying for to build on the back of their house. The purpose of the deck was to replace the existing porch and steps, making it more accessible, especially for family members with mobility issues. The McKenna's noted they had communicated with their neighbors and received support, except for one letter of concern from a neighboring property owner, which was part of the application. Assistant Planner, Mr. Hoppel detailed to the Board members that that the home was built up to the 50-foot rear yard setback, leaving no space for a deck. Mr. Hoppel mentioned that the McKenna's were unaware of this setback regulation until they applied for the deck. The existing patio was referenced, noting that concrete patios like theirs do not have to adhere to the same setback regulations. Staff suggested relocating the three-foot bump out from the back of the deck to the side to reduce the requested variance from 19 to 16 feet, in line with the spirit of minimum variance requirements. This suggestion was based on discussions with the McKenna's and their pursuit of a specific design.

Mr. Madden had concerns about the proposed 19-foot variance, suggesting that a smaller variance would suffice. This prompts further discussion among board members about voting procedures and the possibility of considering different variance options.

Mr. Madden expresses his opposition to the 3-foot bump out, suggesting that it could be relocated to the side to reduce the variance request. The conversation explores the reasons behind the bump out design, focusing on both additional space and ambiance.

Mr. Kancyan states his opinion of his preference for the deck bump out towards the neighbors in the backyard, citing concerns about furniture placement and the grill. He acknowledges the possibility of a second vote if the preferred option is turned down, expressing a desire to avoid further delays. The meeting concludes with clarifications on the voting process, to address the possibility of ties resulting in rejection.

MOTION

Mr. Madden: I hereby move on this 20th day of June 2023, that the Streetsboro Board of Zoning and Building Appeals grant 160 Diamond Boulevard, Streetsboro, OH 44241 PPN# 35-052-10-00-084-000 a 19-foot variance from Section 1127.04(b) to allow for the construction of a deck with a rear yard setback of 31-feet as code requires 50-feet. The variance approved herein is limited to the construction shown on the plans submitted with application #VRA23-5, and does not authorize any further encroachment into any area encumbered by setback requirements. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable.

Motion seconded by Mr. Kancyan.

Roll Call Vote

Mr. Madden: No	Mr. Woods: Yes	Mr. Cooper: (absent)	Mr. Kancyan: Yes
Mr. Bross: Yes	Mr. Hatz: (absent)	Mr. Liebler: (absent)	

Mr. Madden: I think the deck is beautiful. I want to see you get a deck today, but for the reasons I expressed below in my responsibility to the board, I have to vote no today. Thank you.

Mr. Kancyan: I will vote in the affirmative as I believe the I physically reviewed the property. I think it's a nice deck. I agree with Mr. Madden. I think it's. In our neighborhood that that I know very well, it's I appreciate the applicants coming because in my neighborhood people are doing things that. At midnight, when they shouldn't be doing, we have pools and things going in and you know things like that and I appreciate them coming in. That's not really an applicable. Thing or reason to vote in the affirmative. But I'm going to vote in the affirmative because I think it still fits within their boundaries and I think the neighborhood looks good.

With it.

Mr. Woods: I'm have to go along with the builder. Started a problem because you shouldn't have built so close to the 50 foot and I think you deserve to have your deck and I think it's beautiful and your neighbor agree. And so I'm have to say yes, I agree. .

Mr. Bross: The real thing to do is to vote to see what the practical difficulty is. That's on any applicant, and I was always scratching for a real concrete one here. And Mr. Woods brought up pretty much in the end. It's a build or created issue in my mind and that that's. I specifically and all the should who vote here on this board that really need to be shown that and they're pretty much in my mind there it is. Also, given the fact that the as I've asked a few times and it's been said that the footprint for this deck is going to be smaller than what the existing concrete patio is, and I do fully understand there are two sets of rules for each, I get it. But I believe in addition to there's no name, there's no, there's no opposition from neighbors and natural barriers have been erected and also with the question of what would future neighbors think? I can't remember who asked that made that point, but it's a valid one, but make a long story short, I also vote to approve of this deck at the 19 in the 19 foot the feet length. So given that by three to one your request for variance has been granted.

Yes – 3 No – 1

Motion approved; variance granted.

BOARD MEMBER COMMENTS:

Announcements: The next regularly scheduled Board of Zoning and Building Appeals meeting will be held on Tuesday, July 18, 2023 at 7 p.m. in the Streetsboro Municipal Building located at 555 Frost Road.

The work session scheduled to follow the meeting was postponed until after the July meeting, contingent upon the attendance of all board members.

ADJOURNMENT: There being no further business before this Board a motion to adjourn was made by Mr. Madden and seconded by Mr. Woods, upon voice vote the meeting was adjourned at 7:40 p.m.

ATTEST:

Angella M. Fausset
Clerk

Matt Bross
Chairperson

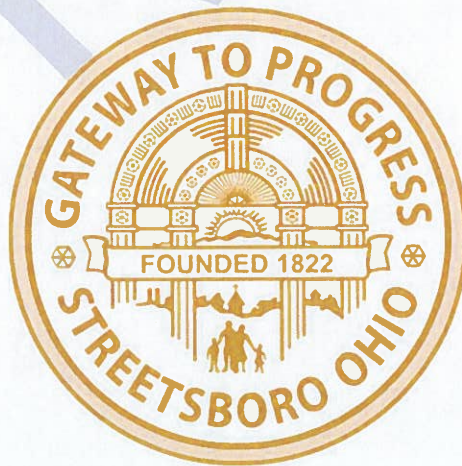
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City of Streetsboro

BOARD OF ZONING AND BUILDING APPEALS

RULES AND REGULATIONS

2024



Adopted March xx, 2024

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ARTICLE I

PREAMBLE AND DEFINITIONS

The intent and purpose herein is to provide for a reasonable and orderly execution of hearings and meetings. In the event any provisions of the Board of Zoning and Building Appeals Rules and Regulations contradict any Codified Ordinance of the City of Streetsboro, The Codified Ordinance shall automatically prevail with recourse to "Suspension of Rules". The BZBA cannot suspend a rule of council.

Except as **otherwise** expressly provided in these Rules and Regulations of the City of Streetsboro Board of Zoning and Building Appeals, or as the context otherwise requires, the masculine term or pronoun includes the feminine, the singular term includes the plural and the plural term includes the singular term.

When the term:

"Board" is used it is to mean the City of Streetsboro Board of Zoning and Building Appeals.

"Day(s)" is used; it is to mean calendar days.

"Majority" is used, unless otherwise noted, it shall mean a majority of those members present.

"Presiding Officer" is used, it is to mean or make reference to the Chairperson or Vice-Chairperson.

"Quorum" is used, it is to mean the Board requires four (4) members to be present in order to conduct a hearing, special meeting or work session. A meeting of any type may not be held unless there is a quorum.

ARTICLE II

SEVERABILITY

A determination that any part of these Rules and Regulations is invalid shall not invalidate or impair the force or effect of any other part hereof, except to the extent that other parts are wholly dependent for their operation on the part declared invalid.

ARTICLE III

OHIO REVISED CODE

Those parts of the Ohio Revised Code in harmony with these Rules and Regulations are incorporated by reference and made part of the Rules and Regulations as if written herein.

ARTICLE IV

ROBERTS RULES OF ORDER

Roberts Rules of Order shall govern procedural matters not provided for by the Rules, the City's Charter, applicable Codes of the City of Streetsboro or the Ohio Revised Code. It is the responsibility of the Presiding Officer to determine how and when to implement Roberts Rules of Order.

ARTICLE V

MODIFICATIONS TO THESE RULES

These Rules and Regulations may be added to, modified or repealed. If the proposed addition, modification or action to repeal was on the agenda for the organizational or special meeting when the agenda for the meeting was established and approved, the Board may take action on the proposal during the current meeting.

Any Board Member can request a modification to the Rules and Regulations, during the agenda section labeled "Board Member's Comment". The request will come in the form of a formal motion for the Board to convene a special meeting. If the motion passes, the Clerk will then place this item on the agenda for the next special meeting.

ARTICLE VI

SUSPENSION OF RULES

Upon a motion and a second of any Board Member(s), the Board may vote (roll call) to suspend a rule. A rule will be suspended if the motion for rule suspension receives a majority vote.

ARTICLE VII

ADVISORS

Advisors to the Board shall include, but are not limited to, all department directors of the City of Streetsboro. The Advisors shall review and state their opinion, in writing, to the Board. The Advisors shall attend all hearings, special meetings and work sessions when requested by any Board Member to present their report. No Advisor will make any presentation, or act as an agent, on behalf of any applicant.

ARTICLE VIII

HEARINGS

Hearings shall be held in a public meeting room on the third (3rd) Tuesday of each month. The hearing shall commence at 7:00 PM and no later than 7:15 PM or as specified by the Chairperson. All hearings of the Board shall be open to the public pursuant to all applicable sections of the City of Streetsboro Charter.

All records of the Board shall be open and available to the public during normal working hours. Copies of audio tapes and paper documents are available for a nominal fee from the City of Streetsboro Planning Department.

The format of all variance requests and appeals are as follows:

- 1) The chair shall state for the record the issue before the BZA.
- 2) The applicant/appellant shall state their full name, address and be sworn in.
- 3) The applicant/appellant shall present their request or appeal (following Article XXII) and disclose their relationship to the applicant/appellant.
- 4) Input from advisors (Article VII) may be sought.

- 5) Questions and comments by Board Members.
- 6) Comments by citizens.
- 7) Response by applicant/appellant.
- 8) Final comments/questions by Board Members
- 9) Board action.

Any change to this format will follow Article VI.
(Amended 01-15-08)

ARTICLE IX ORGANIZATIONAL MEETINGS

The annual organizational meeting shall commence at 7:00 PM on the third Tuesday of January of each year. This meeting's sole purpose is to elect a Chairperson and Vice-Chairperson and is initially chaired by the Mayor. The Mayor relinquishes control of this meeting after a Chairperson is selected. Nominations for the Chairperson shall be made from the floor by any seated Board Member. No more than two (2) nominations shall be made for each office. After the nominations have been closed for the Chairperson, the Mayor shall call for a vote. A nominee must receive a simple majority. This process is repeated for the election of the Board's Vice-Chairperson and is conducted by the newly elected Chairperson.

ARTICLE X SPECIAL MEETINGS OR WORK SESSIONS

Special meetings or work sessions may be called by the Chairperson or Vice-Chairperson. All persons affected by the scheduling of a special meeting or work session will be given at least 48 hours notice. All such meetings will be conducted in a public meeting room at the time specified in the notice and shall be open to the public. Only those matters appearing on the special meeting or work session's agenda may be discussed. No applications or COS 1105.08 matters will be included on the agenda for any special meeting or work session.

If the meeting is a special meeting, the Board may take formal action on any agenda item. If the meeting is a work session, the Board may discuss, debate, and deliberate on any included agenda item, but is prohibited from taking any formal action on that item.

ARTICLE XI CLERK OF THE BOARD OF ZONING AND BUILDING APPEALS

The Clerk of the Board of Zoning and Building Appeals shall perform the following:

- 1) Date all applications as they arrive.
- 2) Compile an agenda for each hearing, special meeting or work session.
- 3) Submit the proposed agenda to the BZA Chairperson no less than ten working days prior to the BZA hearing or meeting for approval. In the event the Chairperson is unavailable, the Vice-Chairperson shall be provided the proposed agenda for approval.

- 4) Compile all applicable data for each Board Member so that all data is available to each BZA Member by the close of business on the Wednesday preceding the hearing or meeting.
- 5) Attend to all correspondence incidental to Board business.
- 6) Perform any duty assigned by a majority vote of a quorum of the Board or required by law.

ARTICLE XII AGENDA

The following is an example of an agenda for a special meeting or work session:

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Disposition of Minutes
- 5) Old Business
- 6) New Business
- 7) Reports, Communications and Correspondence
- 8) Citizen’s Comments
- 9) Announcements
- 10) Adjournment

It is recognized that a BZBA hearing is a quasi-judicial proceeding and therefore items 7, 8, and 9 may omitted. The BZBA Chairperson or in his or her absence, the Vice-Chairperson, reserves the right to modify the proposed agenda, but cannot remove or delete any application or variance request.

ARTICLE XIII POSTING

A copy of the Streetsboro Board of Zoning and Building Appeals Rules and Regulations and a copy of the meeting agendas shall be posted for the convenience of persons attending a meeting.

ARTICLE XIV ACTION ON COMMUNICATION

Any communication requesting action by the Board, which cannot be acted upon during the current hearing, special meeting or work session shall be placed on the agenda of the next Board hearing.

ARTICLE XV PRESIDING OFFICER

The Chairperson shall preside over the hearings, special meetings, and work sessions of the Board. If the Chairperson is absent, the Vice-Chairperson shall call the hearing, special meeting, or work session to order and preside until the Chairperson appears.

The Chairperson shall call the hearing, special meeting, or work session to order at the appointed hour, and if a quorum is present, proceed with the approved agenda. If a quorum is not present, the Chairperson shall immediately adjourn the proceeding.

The Chairperson shall state, for the record, the issue before the Board before any testimony or evidence is presented (for example: use variance, area variance appeal, etc.)

ARTICLE XVI ORDER AND DECORUM

The Presiding Officer shall preserve order and decorum. All persons in attendance shall observe the following rules:

- 1) No use of offensive or inflammatory language is permitted
- 2) No personality attacks are permitted
- 3) No impugning another person's motive
- 4) All comments must be confined to the issue at hand
- 5) No person may speak without being recognized by the Presiding Officer
- 6) All persons must obey all procedural instructions as given by the Presiding Officer.

ARTICLE XVII CONDUCT OF BOARD MEMBERS

The Presiding Officer shall use the following procedure to discipline any Board Member who violates and provision of these rules and regulations:

- 1) The Presiding Officer shall call a point of order indicating the Board Member is out of order.
- 2) The Presiding Officer will provide a reason why the Board Member is out of order.
- 3) The Presiding Officer will request the offending Board Member conform to the Presiding Officer's instruction(s).
- 4) If the offending Board Member continues to violate these rules and regulations, the Presiding officer shall immediately adjourn the hearing, special meeting or work session.

Board Members must remain seated during all discussions, debates or when voting unless excused by the Presiding Officer.

ARTICLE XVIII DISCUSSION AND DEBATE BY BOARD MEMBERS

A Board Member wishing to speak shall request permission from the Presiding Officer. Once granted, the Board Member shall do so without interruption, from any source. The Board Member may read from books, papers, documents or any other source as long as the information is relevant to the topic in question.

No Board Member shall speak more than once on the same topic until every other Board Member has had an opportunity to do so.

When two or more Board Members address the Chairperson at the same time, the Presiding officer shall decide the order in which each Board Member will speak.

When the Chairperson calls for a motion, the Vice-Chairperson or a designated Board Member will read the motion. Any Board Member may call for a statement of the previous question.

When there is a Question of Order, these rules defer to the Robert's Rules of Order for a Board Member's appeal and debate.

ARTICLE XIX ABSENTEEISM

A Board Member must notify the Clerk, Chairperson or Vice-Chairperson of an anticipated absence from any hearing, special meeting, or work session. As much notice as possible is required. If the absence is for a just and reasonable cause, a motion to excuse the Board member shall be made and entered into the minutes of the proceeding.

If the Board Member is absent without notification to any of the above, a motion NOT to excuse the offending Board Member shall be entered into the minutes of the proceeding.

If the Board Member's absence is determined to be of an unjust cause or reason, a motion NOT to excuse the offending Board Member shall be entered in the minutes of the proceeding.

The Chairperson shall notify in writing the Presiding Officer of City Council and the Mayor if any Board Member has had two (2) unexcused absences from any hearing(s), special meeting(s), or work session(s) or has had five (5) absences within one calendar year, and recommend to the Presiding Officer of City Council that the offending Board Member be removed from the City of Streetsboro Board of Zoning and Building Appeals pursuant to and in accordance with all applicable sections of the City of Streetsboro Charter.

ARTICLE XX REMOVAL OF A BOARD MEMBER

The Board may recommend removal of a Board Member for cause. The definition of "for cause" shall include, but is not limited to, excessive unexcused absences as listed in the Rules and Regulations. A Board Member may be removed for repeated violations to these Rules and Regulations, or a failure to disclose a conflict of interest.

The Board will make a recommendation to remove a Board member to City Council for Council's action pursuant to all applicable sections of the City Charter.

ARTICLE XXI VOTING

All agenda items requiring a vote must be formed as a motion. All motions must be voted upon using a roll call vote. The Clerk shall call the roll in the following order:

- 1) The author of the motion

- 2) The person who provided the motion's second
- 3) Other Board Members
- 4) The Presiding Officer

The Clerk shall record each vote in the journal for each Board member's vote.

All Board Members present are required to cast a vote unless excused by the Presiding Officer for reasons of conflict of interest. The Presiding Officer shall approve the Board Member's abstention and this action shall be noted in the minutes of the proceeding.

A tie vote shall be read and understood to be a denial of the motion.

ARTICLE XXII APPLICANT

The Applicant, or duly authorized representative, shall attend all hearings for which the application is on the agenda. All applicants or other interested parties presenting evidence or testimony shall be sworn in by the Presiding Officer.

The Applicant shall then explain the nature of the request and the reasons supporting the request for relief. The Applicant is allowed approximately 15 minutes for their presentation. The Vice-Chairperson will keep track of the time.

The failure of the Applicant or his/her duly authorized representative to appear shall result in the application being continued to the next regularly scheduled hearing, and if the Applicant or his/her duly authorized representative is not at that hearing, the Board will consider the application withdrawn by the applicant. Under no circumstances shall this process exceed 60 calendar days, unless otherwise extended by the Board. Application fees will not be returned to the Applicant.

It is noted that all information presented must be entered into evidence and becomes the property of the City of Streetsboro. Copies of this material are subject to the City's existing policy.

It is imperative that all pertinent data be distributed prior to the meeting. Last minute data submission may be cause for a delay in a decision by the Board.

It is duly noted that it is the responsibility of the Applicant to prove and or justify the request for relief from existing Codes, Rules and Regulations and laws governing the City of Streetsboro.

ARTICLE XXIII NON-MEMBERS ADDRESSING THE BOARD

It shall be noted that the opportunity to speak at any Board hearing, special meeting or work session is a privilege granted to the proposed speaker and not a right. It is noted that an applicant does have the right to address the Board. Order and Decorum shall be maintained. Any person may address the Board, but only upon recognition, by the Presiding Officer. Comments shall be pertinent to the current subject matter. All Non-Board members presenting evidence or testimony shall be sworn in by the Presiding Officer. This person shall state their full residential address and spell their last name for the record. If this person refuses to comply, he or she may not address the Board. Any person that willingly disobeys these Rules and Regulations will be asked to immediately comply or face removal from the proceeding.