

**TATE TOWNSHIP
BOARD OF APPEALS
MINUTES
MARCH 18, 2025**

MEMBERS PRESENT

David Petrik
Jennifer Shinkle
Tony Tolin
Jon Pryor
Ron Bulow
Shelby Baird, Zoning Inspector
Kathy Brannock, Secretary

ALSO PRESENT

David Petrik called the meeting to order. After the pledge to allegiance, board members were introduced. Minutes were reviewed. Mr. Petrik asked if there were any corrections.

Mr. Petrik made a motion to accept the minutes of Case 1802SB. Mr. Tolin 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Pryor made a motion to accept the minutes of Case 1804SB. Mr. Tolin 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Petrik made a motion to accept the minutes of Case 1793SB. Mr. Tolin 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Old Business- no old business

New Business-election of 2025 officers

Ms. Shinkle nominated David Petrik to be the chairman. Mr. Tolin 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Petrik nominated Mr. Tolin to be the vice chairman. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Petrik made a motion for Kathy Brannock to remain the secretary of the board. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Tolin, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Shelby asked for 2 members of the board to serve as site plan reviewers. Site plan review is required for any zone change application per the zoning resolution. The first step is to review the site plan. It then gets attached to the application that will go to the county and then the zoning commission. Ron Bulow volunteered with Jon Pryor being the alternate.

The reviewed the rules and regulations regarding conduct that were established in 2007. Shelby recommended that everyone understand the way the meetings are supposed to proceed. This way they will know how to handle situations when they arise.

Hearings will be “meetings within a meeting”. Shelby provided a template of how a meeting will run.

Mr. Petrik questioned about the board being able to speak to the applicant. Ms. Shinkle agreed. According to the procedure there is no procedure. Shelby agreed that the board has a right to ask questions. The board needs to asked questions in order to get findings or facts to make a decision based on economic constraints, undo hardship, etc. O.R.C., zoning guidelines and resolutions will support the decision.

On April 3 a new law goes into effect regarding how notices are publicized.

Shelby has a template of rules that he e-mailed to the board members for them to review. Ms. Shinkle asked if they could use the old rules and edit them.

There will be two sets of minutes during a board meeting. One will be for the hearing with witnesses and testimony and the other will be for the regular board meeting. Public participation will mostly apply to hearings. There will be sign-in sheets for anyone wishing to speak.

The steps for a hearing are:

- 1.) The applicant presents the case. (The board can set a time limit for the presentation.)
- 2.) Public participation
- 3.) Debate- no questions will be asked. The debate or discussion among the board members will be held in public.
- 4.) The board can decide to continue to another date, they can make a motion to deny or approve, or the applicant could withdraw the application. It is not necessary for the board to make a decision that night. They can suspend making a decision by a motion and vote.

Ms. Shinkle stated that the sign-in sheets would be helpful. Once a person speaks, he is done.

Mr. Petrik asked Shelby if he would go with them to look at properties. Shelby responded that it would be best for him to get photos. Mr. Petrik commented that a drive-by is fine. Also, Google Earth is a good tool.

Mr. Petrik asked who writes the findings of facts. Shelby responded that the board does. He will look at other templates. Mr. Pryor asked if it would be part of the meeting minutes.

Mr. Petrik asked everyone to review and votes on changes at future meetings.

Mr. Tolin had to leave at 6:30PM.

Meeting times were discussed. Mr. Petrik made a motion to meet at 7:00 pm on the 3rd Tuesday each month. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

It will be up to the board chairman to cancel the meeting if there is no business to discuss. Ron Bulow asked if the minutes had to be approved by a certain time. Mr. Petrik responded that they would see how it works.

Shelby stated that he will not take applications less than 2 weeks prior to the hearing. Mr. Pryor asked if the applicant would know when the hearing would be at the time that they apply. Shelby responded that it is up to the board to decided when the hearing would be.

Mr. Pryor stated that he needed time to review the rules and asked to decide at the next meeting. Ms. Shinkle stated that she will not be at the next meeting and asked if would be allowed to e-mail suggestions. Mr. Petrik made a motion to table a decision regarding rules and procedures until the next meeting. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Petrik made a motion to set an application deadline of 2 weeks prior to a meeting. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.

Mr. Petrik made motion to adjourn the meeting. Ms. Shinkle 2nd the motion. Roll call: Mr. Pryor, yes, Mr. Bulow, yes, Mr. Petrik, yes, Ms. Shinkle, yes.