

WESTFIELD TOWNSHIP BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
APRIL 8, 2008

Chairperson Kemp called the regular meeting of the Westfield Township Board of Zoning Commissioners to order at 7:30 p.m. Board members Sturdevant, Miller, Anderson, and Brewer were in attendance. (See sign in sheet for complete attendance). The first order of business was the approval of minutes. The Board approved the February 19, 2008 meeting minutes as written and the March 11, 2008 meeting minutes as corrected with the spelling of Hulbert Rd. spelled correctly and the word "here" instead of "her" on page 15.

Mr. Scheetz stated he was withdrawing the original zoning map amendment application filed August 27, 2007 on behalf of Timothy and Linda Kratzer for the property located at 5669 Greenwich Rd.

Mr. Miller made a motion to accept the withdrawal of the zoning map amendment application as stated. It was second by Mr. Anderson.
ROLL CALL-Miller-yes, Anderson-yes, Sturdevant-yes, Brewer-yes, Kemp-yes.

Mr. Scheetz stated that everything on this new zoning map amendment application was identical to the application previously submitted, except for the request which was now to rezone from Rural Residential to Local Commercial instead of Rural Residential to a newly created General Business District.

The Commission reviewed the application. Mr. Scheetz stated every exhibit was identical to what was previously submitted with the original application. The only map that was added was an updated County map showing the surrounding zones. Mr. Miller asked if the industrial zoning shown in Guilford Twp. and Seville was already approved? Mr. Scheetz stated yes, that was completed almost 3 yrs. ago.

Mr. Miller stated there were a couple items in the application that did not appear consistent with the Local Commercial District as it is currently written. Mr. Scheetz stated he was not asking to expand any of the uses just to rezone the property to Local Commercial as it was currently exists.

Ms. Sturdevant stated that at the last meeting it was discussed that the current square footage permitted in the Local Commercial District was not conducive to today's building use in terms of size. Mr. Scheetz stated that is correct, he was solely looking at the map amendment at this time. The size of the buildings would be considered at a future date.

Mr. Miller made a motion to accept the zoning map amendment application as submitted. It was second by Mr. Anderson.
ROLL CALL-Miller-yes, Anderson-yes, Sturdevant-yes, Brewer-yes, Kemp-yes.

Zoning Inspector Gary Harris would forward the application to County Planning Services for review. They would then prepare a recommendation for the County Planning Commission which will be held on May 6, 2008 at 6:30 p.m. Trustee Likley welcomed the Board members to attend that meeting to see how the process is done.

Mr. Miller made a motion to forward the zoning map amendment application to County Planning Services for review. It was second by Mr. Anderson.

ROLL CALL-Miller-yes, Anderson-yes, Sturdevant-yes, Brewer-yes, Kemp-yes.

Mr. Anderson made a motion to set a public hearing for the zoning map amendment application for May 13, 2008 at 7:30 p.m. provided the Board is in receipt of the recommendation from Medina County Planning Services. It was second by Mr. Miller. ROLL CALL-Anderson-yes, Miller-yes, Sturdevant-yes, Brewer-yes, Kemp-yes.

The Commission also confirmed that the public hearing has been set within the 40-day timeframe as dictated by the ORC.

Mr. Miller asked Chairperson Kemp to request the School Superintendent to attend the public hearing to confirm the numbers and information Mr. Scheetz presented to the Commission previously.

NEW BUSINESS

Mr. Scheetz stated he already anticipated some of the responses from Planning especially the nomenclature of the zone in the fact that it says Local Commercial instead of Commercial. The purpose clause of the Local Commercial District states, the purpose is to provide for a variety of retail, service and administrative establishments in unified groups to serve the needs of the residents of Westfield Township. The question will be raised if that meant it could include residents of surrounding communities. He added that those are things that are going to have to be looked at in the future and after the Commission receives the recommendations from County Planning. The building size will also have to be looked in the future as well. The fact there are no size restrictions on buildings in any other zone other than height will need consideration.

Mr. Scheetz continued that a review of the permitted uses in the Local Commercial District versus other interests that have come up in relation to other permitted uses or conditionally permitted uses will also need to be addressed like an emergicare, multi-family housing, assisted living facilities which would fit but are not addressed in the Local Commercial District. Again Mr. Scheetz reiterated that these are not for consideration in the zoning map amendment as submitted.

Chairperson Kemp stated the only concern she had with this going forward as Local Commercial is that the Township has Local Commercial on the other end of town that the Commission may not want some of the proposed uses as previously discussed by

Mr. Scheetz to apply to that area. Mr. Scheetz stated that would then incorporate the idea of a growth boundary as discussed by Patrice Theken at the last meeting. It could then relate to a site specific PUD within the Local Commercial District. The ORC gives direction on how to do site specific PUD's which would only apply to the acreage we are dealing with and would not have to be written in the Zoning Resolution.

Trustee Likley stated at last night's meeting that the Trustees approved a Resolution for a Comprehensive Plan update and to go to Medina County Planning and participate in their grant program for it.

Mr. Miller stated he would like to have Bill Thorne from the County Prosecutor's Office or a representative thereof, to be present at the public hearing on May 13, 2008 at 7:30 p.m. Chairperson Kemp stated she would contact the Medina County Pros. Office accordingly.

An individual asked what the difference was between General Business and Local Commercial. Is it just the single and two-family dwellings? Chair Kemp stated the main difference between the General Business and Local Commercial District they are asking for is the square footage of the buildings. However, keep in mind that is not being considered with the map amendment just the rezoning of the property from Rural Residential to the Local Commercial District as it exists.

Mr. Miller reminded the Commission of the Riparian Setback workshop tomorrow evening at 6:30 p.m.

Mr. Kratzer stated for clarification that the property requesting to be rezoned, the first 500-ft. is already Local Commercial and the request is to have the remainder of the property to be rezoned from Rural Residential to Local Commercial. Mr. Miller stated that all the Commission was to consider was the rezoning of the land. The details would be handled at a later date such as building size, permitted/conditionally permitted uses etc. Mr. Scheetz stated that was correct, the details would be handled in a site-specific application.

OLD BUSINESS

Approval of Zoning Commission By-Laws

Mr. Miller stated at the Commission's January meeting there were only 3 active members available. The majority of Zoning Commission members constitute a quorum. Mr. Miller stated he would like it to say that it takes all three members to pass a motion if two members are absent. Two people should not be able to pass a motion for this Township when there are five members and an alternate. It was questioned if that would be fair to the applicant. Mr. Scheetz stated that an applicant always had the option to request to be

tabled until heard in front of a full Board. Trustee Likley stated that in the past it has been offered to the applicant to be heard in front of the full Board or if he/she wants to move forward they would take the decision of the Board as it sits. Mr. Miller stated that if there were only three members present it should take all three to vote in the affirmative to pass something as if it was a full Board.

Mr. Miller asked Trustee Likley if there was a new record retention schedule that the Commission could get a copy of as he would like to have it attached to the By-Laws. Trustee Likley stated yes he would provide a copy.

Chairperson Kemp stated she would like to confirm with Bill Thorne before the Commission would consider the proposed change to the By-laws on the vote of the members. The rest of the Board agreed.

Signage Language

Chairperson Kemp stated that the Commission had to review Article IV Section 406 B.3, 4, 5 & 6 because we tabled that. She stated that per the revision dated 12-28-07 Section 406 B2, 3, 4, 5 and 6 were eliminated as originally proposed. Trustee Likley stated he met with Patrice Theken and Tom Russell from Planning Services regarding the language and tried to explain it in the Matrix regarding square footage and signage height.

Mr. Anderson stated he thought that they were not going to allow any temporary signs. Mr. Miller stated they were going to allow real estate and garage sale signs for a specific period of time and a specific size requirement. Currently the code permits one temporary sign not to exceed 4 sq. ft. Mr. Anderson stated under the revision dated 12-28-07 it states, Temporary Sign Permitted-Greater than 4 sq. ft. less than 32 sq. ft. That is a pretty big sign. Mr. Miller stated that size would be permitted for the signs like Gerspacher, CB Ellis, and Coldwell Banker who use 4x8 signs to advertise the sale on a lot or parcel. Chair Kemp interjected the time frame permitted was less than 14 days. Mr. Scheetz stated that would reference those portable signs on wheels. Mr. Anderson stated he understood that type of sign was not going to be permitted. Chairperson Kemp stated that they had that type of sign in the zoning code.

Chair Kemp stated she thought they changed Section 406 B.2 to 15 ft. in Rural Residential. The revision dated 12-28-07 states, Temporary signs greater than four (4) sq. ft. in height shall not be located less than ten (10) ft. from the road right of way or any lot lines. Trustee Likley stated it was changed to 10 ft. because it would literally put the sign in the middle of someone's yard. It is up to the Board. Signage language is very difficult to deal with but the matrix makes sense if you dissect it. Sections 406 B3, 4, 5 & 6 were eliminated.


The Commission stated they would like to table the signage language until they had a chance to review but wanted to set a date specific any other issues that were still pending before the Commission i.e. Riparian Setback language.

The Commission scheduled a special meeting to review signage language regulations for April 22, 2008 at 7:30 p.m.


Mr. Anderson made a motion to adjourn. It was seconded by Ms. Sturdevant. A roll call was taken. All members were in favor. The meeting was officially adjourned at 8:32 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary




Jill Kemp, Zoning Commission Chairperson




John Miller

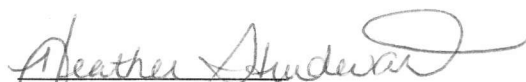
Kevin Primer



Susan Brewer



Scott Anderson



Heather Sturdevant