

**WESTFIELD TOWNSHIP BOARD OF ZONING COMMISSIONERS  
REGULAR MEETING  
DECEMBER 9, 2008**

Chairperson Kemp called the regular meeting of the Westfield Township Board of Zoning Commissioners to order at 7:30 p.m. Board members Jill Kemp, Susan Brewer, John Miller, Heather Sturdevant and Scott Anderson were in attendance. Alternate ZC member Kevin Primer was absent. (See attendance sheet for complete attendance).

**APPROVAL OF NOVEMBER 11, 2008 MEETING MINUTES**

Ms. Sturdevant made a motion to approve the November 11, 2008 meeting minutes as amended. It was seconded by Ms. Brewer.

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

**CONTINUED WORK ON PROPOSED SIGNAGE TEXT/MATRIX**

**Section 406 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS**

Ms. Sturdevant passed out the sign matrix she created regarding Section 406 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS. Chair Kemp asked if the text language need to be in the matrix? Ms. Sturdevant responded that Medina County Planning wanted something that followed the language. Ms. Sturdevant added she put the text in the matrix because she had to go to three different places to recall what was discussed which were the comments from Planning, the Commission's meeting minutes and what the Commission proposed originally. Ms. Sturdevant stated the matrix did not have to be submitted to Planning for review it was just to keep the Commission members organized and following the same information for review purposes.

PLEASE NOTE IT WILL BE NECESSARY TO LOOK AT THE PROPOSED SIGNAGE LANGUAGE AND SIGN MATRIX attached and part of these meeting minutes to follow the discussion and determination of the Commission.

Under 406A1. Permanent Signs, the Commission proposed the wording, "1. One sign which may be a wall or free-standing sign not exceeding twelve (12) sq. ft. in area may be permitted for each lot or parcel. If freestanding, such sign shall not exceed six (6) feet in height and shall not be located less than ten (10) ft. from the right of way or any lot line. No part of structure or sign shall exceed six (6) feet in height." The Commission determined in the matrix it would reflect the Commission's proposed language and therefore in the matrix under Type would state "Freestanding or Wall" as one was allowed either a permanent free standing sign or a permanent wall sign. This would also be done for Type under Section 406B1 Temporary Sign as well because one could have either a temporary free standing sign or a temporary wall sign.

Board of Zoning Appeals. The language under Section 406A3 was extensive in nature and did not really specify a particular sign just that conditional uses may have signage as established by the BZA. The Commission decided that in the matrix under Section 406A3 Type-Conditional Use it would say (see Zoning Text Section 406A3.)

Under the proposed text language for 406B2 Temporary Signs (Conditional) it did state specific regulations for such sign in the Rural Residential and Suburban Residential Districts. Therefore in matrix on Section 406B2 under Type it would read (See Zoning Text 406.B.2.)

Regarding Section 406B3 Temporary Signs (Ground Sign) the matrix would reflect under Type FreeStanding.

Regarding Section 406B4 Temporary Signs, the matrix would reflect under Type -Off-Site/Free Standing to go along with the proposed language.

Regarding Section 406B5 Temporary Signs Corner Lots, the matrix would reflect under Type- Corner Lot/Free Standing to go along with the proposed language. Under Area not to exceed it will state "4 sq. ft. each" and under Height not to exceed "3 ft." The Location of said sign to be "Not less than 10 ft. from any rear or side lot line or within the road right of way."

Regarding Section 406B6 Temporary Signs, It would read, "Lots with frontage exceeding two-hundred fifty (250) feet may have one additional temporary sign per two-hundred fifty (250) or fraction thereof." The matrix would reflect under Type Free Standing. Under Area not to exceed it will state "4 sq. ft. each" and under Height not to exceed "3 ft." The Location of said sign to be "Not less than 10 ft. from any rear or side lot line or within the road right of way."

Ms. Sturdevant interjected that when this goes to Planning Commission for review, the proposed text and the matrix should be submitted. She added she would send Secretary Ferencz the file of the text language and the matrix but stated that the text should be formatted just the way it is in the Zoning Resolution and the matrix added without signage text language in it. The rest of the Commission members agreed.

Mr. Lee Evans asked about enforcement of signs especially in the HC District on Lake Rd. and Rt. 224 specifically Pilot, TA, Country Kitchen and the Lube Stop. He added those businesses often have all sorts of signs from banners on the fence to help wanted signs in the window. Mr. Evans stated there needed to be equal enforcement of the code. Trustee Likley suggested once the signage language is adopted Zoning Inspector Harris should send them a letter that any temporary signs those businesses may want to erect will have to meet the zoning regulations. Ms. Sturdevant stated the Commission did propose looser restrictions on signs in that area when considering the language under Section 407-

SIGNS PERMITTED IN THE HC, LC AND I DISTRICTS. Trustee Likley stated Pilot has been very blatant with their signage and often that signage became a sight clearance issue. Trustee Likley reiterated that Zoning Inspector Harris should send those businesses a letter with a copy of the new signage regs informing them of the new regulations and that that they will be enforced.

Mr. Evans suggested if legally possible, a fee for non-compliance of the zoning code. Chair Kemp stated that would need to be approved adopted and set by the Township Trustees. Mr. Evans responded that the Commission could ask the Trustees to take that under consideration. Ms. Sturdevant stated she believed it was brought up previously that the ORC has a section in it that allows for penalties for non-compliance or violations and suggested the Township follow that policy.

Mr. Miller stated that Secretary Ferencz had left a handout on signage at each Commission member's seat and some of that information may be pertinent and relevant to today's signage issues. The document talks about lawn signs, commercial and non-commercial signs, political signs, etc. Ms. Sturdevant stated the Commission still had Section 407-SIGNS PERMITTED IN THE HC, LC AND I DISTRICTS to complete which should give the Commission time to go over the handout to see if there was any pertinent information the board may want to consider or add in this section of the code before it would submitted to Planning Services.

Ms. Sturdevant stated that Trustee Likley has said that the Township cannot regulate political signs so some of the information in the handout may not be able to be restricted or regulated by the Township. She added the Commission might need to seek the Pros. Office and or Planning Services to see what can be regulated. Ms. Sturdevant stated she would make the changes to the matrix regarding Section 406.

The Commission then moved on the Section 407-SIGNS PERMITTED IN THE HC, LC AND I DISTRICTS. Ms. Sturdevant stated the Commission previously changed 407 B2, which was Permanent Signs FreeStanding from 30-sq. ft. to 32 sq. ft. and 20 ft. in height. Also for parcels having frontage on two or more streets they may have a second freestanding sign provided that the second freestanding sign is located on a different street...and does not exceed 8 ft. in height. The height requirement use to be 6 ft. in height.

Ms. Sturdevant stated that under Section 407 C1 Temporary Signs the Commission changed it from 1 temporary sign to 4 temporary signs and reduced the size from 20 sq. ft. in area for 1 sign to 4 sq. ft. in area for each sign for not more than two (2) thirty (30) day periods per year. The signs were also reduced from 6 ft. in height to 3 ft. in height.

Mr. Evans stated the Commission may want to contact Bill Thorne because most of the signage being discussed is outdoor signage, but businesses do put windows in their signs

all the time. Ms. Sturdevant stated the Commission had regulations for Window Signs. Mr. Evans asked if the code stipulated inside the window or outside the window? Ms. Sturdevant stated the Window Sign language reads, "Windows sign shall not obscure more than 30% of the glazed surface of any window." Mr. Anderson stated that if a certain sign is not addressed in the code it is not permitted so therefore the banner on the fence of Pilot is not permitted.

Mr. Evans then asked about the signage that is inside the building i.e. Pilot, Subway and Country Kitchen but can be seen through the window? Trustee Likley stated that was why the signage code on windows states that a window sign shall not obscure more than 30% of the glazed surface of any window. That would mean i.e. this window pane is a glazed surface, the next window pane is another glazed surface etc. Mr. Evans stated once the new signage language was in place, he felt that Zoning Inspector Harris should take a copy of the text and give it to each of those businesses and make them sign that they received a copy of the new code and were made aware of the Township's zoning regulations. Ms. Sturdevant stated she felt that the non-compliance of the businesses regarding signage was because nobody required them to do otherwise.

Trustee Likley asked what section of the code under 407 would commercial real estate signs fall under? Ms. Sturdevant stated she believed this was discussed at the Commission's April 22, 2008, however it was determined that the discussion on real estate signs was for Residential Districts and not the HC, LC, and I Districts.

Chair Kemp suggested that in order to address real estate signs under Section 407 C. Temporary Signs, that four temporary signs be permitted not exceeding 4 sq. ft. each in area and 3 ft. in height for each lot or parcel or one temporary sign not exceeding 32 sq. ft. in area and 8 ft. in height... Trustee Likley stated the rest of that wording states for not more than two (2) thirty (30) day periods per year and it would be hard to enforce that time period. The Commission decided to remove the wording for not more than two (2) thirty- (30) day periods per year. Trustee Likley stated that if the Commission was going to allow a 32 sq. ft. sign they may want to consider amending the location of these signs off the setback lines from the road right of way.

The Commission then revised the wording for 407 C. Temporary Signs 1. to read, "Four (4) temporary signs, which may be either wall or free-standing signs, not exceeding four (4) square feet each in area and three (3) ft. in height shall be permitted for each lot or parcel and shall not be located less than ten (10) ft. from any lot line, or within the road right of way or one (1) temporary wall or free-standing sign not to exceed 32 sq. ft. in area and 8 ft. in height. The minimum setback from any road right of way shall be ten-(10) ft. and from all other property lines shall be twenty (20) feet."

Trustee Likley asked if there was language under Section 407 addressing temporary signs for commercial corner lots and large lots i.e. lots with frontage over 250 ft.?

The Commission suggested adding a Section 407 C3 which would state, "Corner lots may have one (1) free-standing sign which shall not exceed thirty-two (32) sq. ft. in area nor twenty (20) ft. in height. Parcels which have frontage on two or more streets may have a second temporary free-standing sign provided that the second temporary free-standing sign is located on a different street and does not exceed thirty-two (32) sq. ft. in area nor (20) ft. in height. The minimum setback from any road right of way shall be ten (10) ft. and from all other property lines shall be twenty (20) feet."

Mr. Miller stated he had information he received from Patrice Theken from Planning Services which gave definitions for various signs. The Commission would also have to review if there are definitions for each of the signs per the proposed sign language drafted, and if they were ample to describe the various signs. Secretary Ferencz stated she would make copies of the document and distribute them to the Commission members.

The Commission then returned to the review of Section 407 SIGNS PERMITTED IN THE HC, LC, AND I DISTRICTS.

Regarding addressing larger lots under this Section, Trustee Likley asked what was the required frontage in these Districts? Chair Kemp stated in the LC District the lot frontage for a single-family dwelling is 250 ft.; for a two-family dwelling it is 350 ft. and for all other uses other than a dwelling it is 150 ft. In the HC District the frontage is 300 ft.

The Commission suggested the wording Section 407 C.4. "Lots with frontage exceeding three-hundred fifty (300) ft. may have one (1) additional temporary sign per three-hundred 300) ft. or fraction thereof not to exceed the square feet regulations as allowed in Section 407."

Mr. Miller asked that when Ms. Sturdevant completed the changes that she e-mail them to the Commission members. Ms. Sturdevant stated she could comply with that request.

**MISC.**

Ms. Sturdevant asked if the zoning text error in Section 807 D. (m) went to Planning Services? Secretary Ferencz stated yes it did.

Secretary Ferencz stated that when the zoning boards finally do have a joint board meeting with Bill Thorne from the Pros. Office, it would need to be discussed as to what board would be responsible if not both, for completing a site plan review for Northcoast Soccer as the parcel was split zoned and the use of the soccer fields in the residentially zoned portion of the property was a conditional use.

Trustee Likley stated he would like to congratulate and thank Heather Sturdevant and Sue Brewer for their attendance at the Dept. of Planning Services Zoning Workshops 2008. Trustee Likley also thanked Mr. Miller for his assistance in constructing the message


board in front of the Townhall. Lastly Trustee Likley thanked Lee Evans for helping him to erect the sign on Saturday with a pending snow storm approaching Ohio.

Ms. Sturdevant handed out a packet of documents on Riparian Setbacks. She added she did some research on the topic and found a legal blog that talked about how many Townships in Ohio have rushed into adopting language on Riparian Setbacks and are now regretting their decision to do that. Additionally, Ms. Sturdevant stated it appeared that everyone adopted the same language on Riparian Setbacks put out by the Chagrin River Watershed Partners. The blog commented on this language and stated that those who did adopt the Riparian Setbacks now wish they had not rushed into it so quickly as it has caused problems in their communities. Ms. Sturdevant stated that though this topic has been mentioned for discussion by the Commission previously, she would like to move cautiously if and when it is considered. Chair Kemp stated she did not like the idea of Riparian Setbacks at all and felt it was an invasion of private property rights.

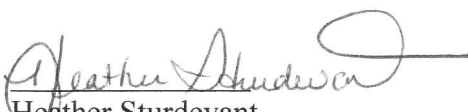
Having no further business before the Commission, Mr. Miller made a motion to adjourn. It was second by Mr. Anderson. All members were in favor. The meeting was officially adjourned at 9:00 p.m.


Respectfully Submitted,

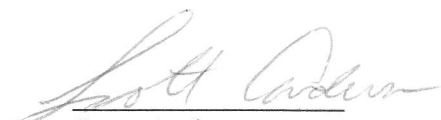
Kim Ferencz, Zoning Secretary

  
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Jill Kemp, Zoning Commission Chairperson

  
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John Miller

  
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Heather Sturdevant

  
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Susan Brewer

  
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Scott Anderson

**406 C. Sign Matrix**

<b>Permanent</b>	<b>Type</b>	<b>Number Allowed</b>	<b>Area not to exceed</b>	<b>Height not to exceed</b>	<b>Location</b>	<b>Landscape</b>	<b>Time Frame</b>
406A1	Freestanding Or Wall	1	12 square feet	6 feet	Not less than 10 feet from right-of way or any lot line		
406A2	Free-Standing	1 at each entrance	25 square feet	6 feet	At least 15 feet from any street right of way or property line	Base or foundation shall have at least 5 evergreen shrubs	
406A3	Conditional Use	<b>See Zoning Text 406A3</b>					
<b>Temporary</b>							
406B1	Freestanding Or Wall	1	4 square feet	3 feet	Not less than 10 feet from any rear or side lot line, or within road right-of-way.		
406B2	Conditional Use <b>See Zoning Text 406 B2</b>		32 square feet	8 feet	Not less than 15 feet from road right-of-way or side lot lines		Determined by BZA
406B3	Freestanding	1	12 square feet	4 feet			Not to exceed 14 days
406B4	OFF SITE Freestanding	n/a	4 square feet	3 feet	Not within road right-of-way but can be placed on private property with permission from the property owner		Not to exceed 24 consecutive hours
406B5	Corner Lot Freestanding	1 sign on each street with frontage	4 Square Feet Each	3 Feet	Not less than 10 feet from any rear or side lot line		No time frame
406B6	Freestanding	1 per 250 feet frontage	4 Square Feet Each	3 Feet	Not less than 10 feet from any rear or side lot line		

**407 D. Sign Matrix**

407A. The total area of all permanent signs (but not including the area of a high rise sign as permitted in section 407B3) for each use, parcel, building or land under common ownership or control shall not exceed one and one half (1.5) square foot for each one lineal foot of the building wall which is most parallel to the frontage of the lot on which the building is located.

<b>Permanent</b>	<b>Type</b>	<b>Number Allowed</b>	<b>Area not to exceed</b>	<b>Height not to exceed</b>	<b>Location</b>	<b>Time Frame</b>	<b>Obscurity</b>	<b>Projection</b>
407B1	Wall							No more than 18 inches in front of the building wall to which they are attached
407B2a.	Freestanding	1 per street	32 square feet	1 <sup>st</sup> sign 20 feet 2 <sup>nd</sup> sign 8 feet	10 feet from road right of way and 20 feet from all other property lines			
407B2b.	Freestanding Lots with 3 or more businesses in 3 or more buildings or spaces	1	50 square feet	25 feet	20 feet from road right of way and 40 feet from all other property lines			



407B3	High Rise	1	160 square feet	1,132 feet above sea level	Located within 660 feet of the interstate right of way and within 50 feet of the business's activity area (building or parking area)			
407B4	Gasoline filling station	1 unlighted, double faced per pump island	5 square feet		Permanently attached to the pump island			
407B5	Window						Not more than 30% of the glazed outer surface	
407B6 REQUIRES A ZONING CERTIFICATE	Billboards (commercial and industrial districts and land used for agriculture only)	Minimum spacing of 500 feet	300 square feet	35 feet	Must maintain same minimum front, side and rear yard requirements for buildings in that district but may not be located closer than 500 feet to a dwelling, public park, private school, library, church, hospital or similar institution	Must be removed within 5 days after permanent occupancy of the building		

<b>Temporary</b>								
407C1	Wall or freestanding	4	4 square feet each	Freestanding 3 feet	No less than 10 feet from any side lot line or within the road right of way			
	<b>OR</b>							
	Wall or Freestanding	1	32 square feet	8 feet	No less than 10 feet from any lot line or within the road right of way			
407C2	Freestanding during construction or reconstruction of a building for which a valid building permit has been obtained	1	32 square feet	8 feet	Minimum of 15 feet from any street right of way or property line			
407C3	Corner lots	1 for each street	32 square feet	8 feet	10 feet from road right of way and 20 feet from all other property lines			
407C4	Lots Exceeding 300 feet in frontage	1 additional per 300 feet or fraction thereof	32 square feet	8 feet	10 feet from right of way and 20 feet from any other property line			