

Westfield Township Zoning Commission  
Meeting Minutes of June 11, 2013

The meeting was called to order at 7:35 pm by Chairman Sturdevant. Members present: Sue Brewer, Dennis Hoops, Jill Kemp, Scott Anderson, Heather Sturdevant and zoning secretary Sherry Clarkson. Member absent: Greg Brezina. Guests in attendance: Ron Oiler, Matt Witmer and Gary Harris.

Meeting Minutes of April 9, 2013

Chairman Sturdevant advised members that we did not meet in May due to everyone attending an educational seminar at Medina County District Library. Tonight before members are the minutes of the April 9, 2013 meeting. **Chairman Sturdevant asked if there were any changes/corrections/additions to the minutes, there being none, she asked for a motion to approve the minutes as presented. Jill Kemp made a motion to approve the minutes as presented and Scott Anderson made a second to the motion. Chairman Sturdevant asked for a roll call: Sue Brewer-aye; Dennis Hoops-abstain; Jill Kemp-aye; Scott Anderson-aye and Heather Sturdevant-aye. The motion carries.**

Next order of Business

The public hearing stated for tonight is cancelled, as per Ron Oiler bringing to the attention of the board when advertised in the paper, as per the OHC, it did not state "At the conclusion of such hearing the matter will be submitted to the Westfield Township Board of Trustees for their action." By law it has to state that so, since it was not advertised as such, we are cancelling the meeting. We need to reschedule the public hearing. After discussion, it was decided the public hearing would be held on July 9<sup>th</sup>. **A motion was made by Heather Sturdevant to schedule a public hearing for the HC Highway Commercial District proposed language for July 9, 2013 at 7:30 pm. A second to the motion was made by Jill Kemp. A roll call was made as follows: Sue Brewer-aye; Dennis Hoops-aye; Jill Kemp-aye; Scott Anderson-aye; and Heather Sturdevant-aye. The motion carries.**

Northcoast Soccer Update

Chairman Sturdevant met with Matt Witmer and both spoke to Bill Thorne regarding the site plan review. Bill advised he could meet with the board on June 25<sup>th</sup> at 7:30 pm to review the site plan. As per Chairman Sturdevant, in her conversation with Bill Thorne he advised that Northcoast is doing a lot of things which they are doing wrong, but they are not marked on the site plan. So, we can approve the site plan without those things on there and then there will be violations for those things which are not on the site plan. It was noted that Bill will be available to come on this evening to explain to the board those items. **Chairman Sturdevant made a motion to hold a special meeting for the North Coast Soccer Site Plan Review for June 25<sup>th</sup>, at 7:30 pm with Bill Thorne. It was asked by Jill Kemp if it was a workshop or a meeting. Chairman Sturdevant advised it is a special meeting for that evening. A second to the motion was made by Scott Anderson. A roll call was made as follows: Sue Brewer-aye; Dennis Hoops-aye; Jill Kemp-aye; Scott Anderson-aye and Heather Sturdevant-aye.** It was requested that this be placed in the paper and the secretary can check with Dave Folk as to the advertisement for both upcoming meetings.



Zoning Inspector Matt Witmer asked "With the payment issues coming up about meetings, was this waived or will they need to pay in order for a site plan review." Chairman Sturdevant advised she was not sure, but would check with Bill Thorne and if need be, he can contact them to pay. Chairman Sturdevant advised that if we are requiring it, but if the applicant is not requesting it, she was not sure if they would have to pay. Chairman Sturdevant asked if TA, with reference to the gasoline or the Clinic matter, was payment made. Zoning Inspector Matt Witmer advised "Yes, payment was made." Matt Witmer advised changes have been made and if changes are made, a site plan review must be held, so there is a question as to if payment needs to be collected. In lieu of the sensitive nature of this, Chairman Sturdevant advised that she will have Bill Thorne contact the applicant if need be after their conversation. A copy of the site plan is available for review in the office. Mr. Oiler asked if the applicant will be at the meeting. Chairman Sturdevant advised after talking to Mr. Thorne regarding this, she will have him talk directly to the applicant and advise if they need to be at the meeting.

Review of HC & LC (Highway Commercial and Local Commercial) along with a Section from 606

Chairman Sturdevant asked for members to take out their handouts which were given previously. Before them tonight they should have pages 30, 31,34,65 and 66. There is an error which was brought up a while ago, we need to correct this. If you go to Page 30, under 305 LC Local Commercial, B.Uses under #2. Conditional Uses Section b.-Gasoline filling station, c.-Automotive Repair, and d.-Auto wash; they all are subject to subsections #22, and If you refer to this section under page 65, this deals with cemeteries. We need to delete Item #22 under from 305B-Uses 2. Conditional Uses, b, c, & d. We also need to delete under 306 HC Highway Service Commercial District, from 306 B. #2. Conditional Uses, subsections #22 under b, c, & d. The question is does this have to go through the public hearing process because it was an error, does it have to be sent to planning services and go through the whole process and then the trustees? We will need to find out if this needs to go through the process. Chairman Sturdevant advised we should vote to send this to planning services and planning commission for an official review and then if we obtain a decision from the prosecutor's office whereby it does not have to go, we can make a decision at the next meeting. If we do need to submit, we can then start the process and have a public hearing. **Heather Sturdevant made a motion to send a proposed correction to the zoning code section 305B Uses 2 Conditional Uses b, c, & d to delete Subsection #22 referencing cemeteries. I will make a motion to send to the Planning Commission. I will also make a motion within the original motion to send section 306B. Uses, 2-Conditional Uses b, c & d to delete Subsection #22, referencing cemeteries to the Planning Services for a formal review. A second to the motion was made by Jill Kemp. A roll call was taken as follows: Sue Brewer-aye; Dennis Hoops-aye; Jill Kemp-aye; Heather Sturdevant-aye. The motion passes.** It was noted we did not think this needs to have a formal review, due to this being referencing an erroneous number. To be on the safe side, in the event we need to send it we have followed the proper protocol. Chairman Sturdevant advised she will be contacting Bill Thorne and Rob Henwood to see if this correction must go through a public hearing.

Moving on, if you will now look at page 114, Item 65 for the definition of "yard", I would like to explain how this came about. As Matt and Chairman Sturdevant were meeting regarding Northcoast Soccer, we were talking about the front lot. The primary structure on the lot is the soccer building. The way that our current side and side yard and front yard definitions are written, the side yard of that property would go along the sides along to the front of the parcel.



The way the code is written, it is only the side yard of the back of the building to the front of the building and the whole rest of the lot is the front yard. Because of this, they can pretty much park wherever they want on those side strips all the way up. Chairman Sturdevant advised, now the question is do we want to change this or do we want to leave this alone because Northcoast Soccer is kind of an anomaly and most of our lots are not like this? Although, my lot where I live is like this, where my side yards would be just the width of the house and I could park cars on my lot if I wanted to, stated Chairman Sturdevant. Matt Witmer advised the way the definition is it applies to homes and everything else. If someone puts in a structure in the front yard basically, saying the house is set way back, and would want to put something up front, you would have to meet front yard requirements vs. side yard requirements. Front Yard requirements are more stringent, advised Chairman Sturdevant. Say your front yard is 70 ft. from the r-o-w, your house sets way back, a problem occurs when you come up to your side yard. Chairman Sturdevant advised when she thinks of a side yard she thinks of it all the way from front to back, just not the house. Jill Kemp advised if you think of it in the opposite way, you would then require some sort of a buffer, due to the lot line. Matt Witmer advised front yard requirement is 70 ft. so if the entire area is 70 ft., it is from the road r-o-w. Jill Kemp interjected that is where buffers would come into play. It was noted we need something to define the area as a buffer. Matt Witmer cited Bill Thorns house where he sits way back off the road with a pond as an example, which is classified as a structure. The other thing you need to look at is how the lots are defined within the township. We have a lot of lots which are narrow and widen to the back. If we are to follow current restrictions it would be very hard for owners to do anything with the front of their property. The frontage is 250 ft, if rear lot 60 ft. If 70ft. from road r-o-w; this opens up the whole area, which is where you could have a problem, advised Matt Witmer. We need to address the 25 ft. buffer needed advised Matt Witmer.

Matt Witmer stated Bill Thorne advised the way our definition states you only have to stay away from the 70 ft. r-o-w, and be next to your property line in the front yard, due to definition. (showing a diagram of what he was showing members). It was noted we may have to add to the code and not the definitions buffer zones for the sides of the front yards, advised Chairman Sturdevant. It was noted we missed something, on Page 24 it shows yard requirements, minimum setback from any lot line shall be 50 ft. We also show 25ft., which is contradictory. We need to see if this relates to RR only, and we need to check in the other sections of the code, this may deal with rear lot development only, page 22, if we read this correctly. Matt Witmer advised we need to address this in LC & HC sections, which presently our code only addresses RR. In looking at the Code, it was referenced to review Section 205 – Accessory Structures and Uses. Questions arose from the members regarding the definition of a Structure, referring to page 112, Item #56 which was read aloud by Chairman Sturdevant.

It was noted that the board will discuss this further and clarify these questions with Bill Thorne when he is here on the 25<sup>th</sup>, where we can discuss this and seek his input regarding yard definitions and setback regulations (side, front & rear).

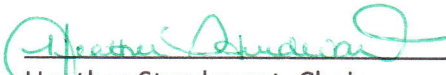
Other Items

The continuance of the BZA meeting has been continued for June 18<sup>th</sup> and 19<sup>th</sup> (the 19<sup>th</sup> added if additional time is needed) at 6:30 pm. The next Trustees meeting will be June 17<sup>th</sup> at 7:00 pm and the next scheduled meeting is June 25<sup>th</sup> to discuss the Site Plan for Northcoast Soccer as well as Front, side and rear yard regulations. Our next regularly scheduled meeting will be July 9<sup>th</sup> at 7:30 pm which is a public hearing for proposed HC Highway Commercial Language followed by our normally scheduled meeting.

**There being no other meeting items, a motion was made by Jill Kemp to adjourn the meeting. A second to the motion was made by Scott Anderson. All were in favor. The meeting was adjourned at 8:18 pm.**

Respectfully submitted,

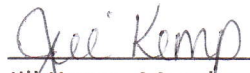
Sherry Clarkson, Secretary

  
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Heather Sturdevant, Chairman

7-9-13  
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Date

ABSENT  
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Greg Brezina, Vice Chairman

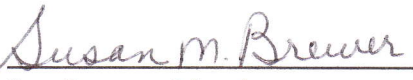
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Date

  
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Jill Kemp, Member

7-9-2013  
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Date

  
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Scott Anderson, Member

7-9-2013  
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Sue Brewer, Member

7-9-13  
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Date

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Dennis Hoops, Alternate

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Date