

WESTFIELD TOWNSHIP ZONING COMMISSION
May 9, 2006 @ 7:30 p.m.
Regular Meeting

Chairman Russ Zupanic called the meeting to order at 7:30 p.m. Roll call indicated five members of the Zoning Commission were present: Scott Anderson, Jill Kemp, James Likley, Wayne Brezina, and Russ Zupanic. Others present were Trustee Carolyn Sims, Board of Zoning Appeals member Ron Oiler, Martha Evans, and Randy Perry (P.O. Box 07518, Ft. Myers, FL).

Minutes

Upon motion by Scott Anderson, duly seconded by Jim Likley, the March 14, 2006, meeting minutes were approved as submitted. The original minutes were signed.

Upon motion by Scott Anderson, duly seconded by Jim Likley, the April 11, 2006, meeting minutes were approved as submitted. The original minutes were signed.

Correspondence

A copy of the 4/18/06 memo to the trustees advising of the 4/11/06 Zoning Commissions actions regarding zoning text amendments was distributed. The trustees' public hearing is scheduled for May 10, 2006, at 7:30 p.m.

The following is a brief summary of tonight's meeting, which was recorded on audiotape.

Old Business

Home Occupation - Reference material/information from York Township, Liverpool Township, Granger Township and Montville Township was distributed by the secretary. Additional research and review is necessary before further discussion. By general consent, this matter is tabled until the next regular meeting.

New Business

Chairman Russ Zupanic acknowledged the presence of Randy Perry, a potential buyer of Chippewa Lake Campground, who requested time on the agenda for discussion purposes relative to zoning concerns.

Randy Perry was sworn in by the secretary. Mr. Perry indicated that he had been a campground owner for about 15 years initially in Northwest Ohio and then he owned a KOA franchise in Florida (it was the largest KOA in the country, 454 sites). He had a canoe livery business, a restaurant, hot tub and in the wintertime 39 full or part-time employees. He sold the Florida campground on 9/12/05 and has been looking to purchase another campground site. He has extensive background and training in campground management including building trade licenses for mechanical, plumbing and electrical, a pesticide license, certified pool operator, food manager license, etc. – pretty well versed in any operation of a campground.

Last year he talked with Willie Carrasco about the Chippewa Lake Campground. There are multi-layer problems there starting with the electrical distribution system and there may not be water if the State takes the well during the construction. As far as the Board is concerned there are some issues with zoning, in particular the requirement covering campgrounds that has to do with density, cabins without restrooms, distances from property lines and other things that aren't required other places in Ohio. There are 43 campgrounds within a 25-mile radius and I have visited quite a few of them as I needed to see what is going on in the marketplace and they don't have these zoning restrictions. KOA requires cabins without bathrooms and there are 475 KOA's across the country and there are standards in order to be a KOA franchise. The state of Ohio doesn't require restrooms in cabins. The ODH rules are time-tested through hundreds and hundreds of campgrounds in Ohio. Some of those requirements are more rigid than yours but anybody that buys this park with the type of zoning requirements that you have would clearly lack a competitive edge. It would be an economic hardship to live with those requirements. The requirements of ODH are quite lengthy – there are inspections and an incredible amount of paperwork involved under the ODH rules. That's the request that I would need - whatever requirements the ODH would have would supersede whatever requirements you would have.

For the record the reference is to the Ohio Department of Health 2005 Recreational Vehicle Park, Recreation Camp, Combined Park-Camp, and Temporary Park-Camp Rules, Ohio Administrative Code Chapter 3701-25 (ODH). There was discussion about the possibility of a text amendment and whether Perry was looking for a complete change or was open for compromise in some of our regulations. The acreage involved is about 120 acres, which would include the lake. Currently it has approximately 135 sites. There were numerous questions from the Board members and discussion items included what type of activities would be involved, type of signage, the new road and the changes that the State will be doing with the intersection at I-71/I-76, the amount of traffic generated from those traveling back/forth to points south, vacation areas within a few hours of here.

Perry – The campground is in an unique situation with the soccer fields around there. I understand your setback requirements (100') but the 7 ½' ODH requirements work well in the other locations. There would be a minimum of two cabins or more depending on the marketplace. They are very expensive - \$15,000 for one bedroom and \$22,000 for two bedroom. Size is approx. 12'x14' and 14'x16'. At the last park I provided a marine port-a-potty, refrigerator and microwave at a rent-up fee. This location would provide for a seasonal park, weekend camping, and an overnight business. KOA gives you the standards that people know and gives you the exposure in the marketplace. If the market is strong enough, I'm looking for a year-around business.

Brezina – I think KOA operates the premier campgrounds in America. What type of assurance do you have from KOA about a securing a franchise at this location – what's it is contingent upon.

Perry – I have this area right now under verbal commitment. It's a matter of closing on the park. I do things well and do things right the first time because you don't have time

to do them over. I'm a good businessman but you have to satisfy your customers. You have to work with the community. There's a KOA south of Canton and one west of Mansfield. As to other activities, the lake would need to be cleaned up, start a swimming beach, build a new office, possible canoe livery, expand the horseshoes, volleyball, putt-putt and other recreational activities for families that aren't provided for in state parks. You have to provide more services if you're going to be successful. KOA has their own inspectors, over and above the state inspectors, and they bring their white gloves – they also have a customer satisfaction survey. Fifty percent of your grade is on your facilities and the other fifty percent of your grade is from the survey.

Russ Zupanic – I'm looking at the letter you sent on 10/18/05. It's basically requesting four things. Item 1 being the fact that it's a conditional use and you requested a permanent change zoned for camping and that has been completed. Item 2 is important from your standpoint (change zoning to ODH rules). Items 3 and 4 relate to entrance road signage and other road signage required by KOA.

Perry – The signage is a concern as generally there is a sign at the road with a picture of a camper on it and KOA's usually have a 12x18 sign with a direction arrow. When you drive around the state within six miles of any campground you'll see a sign with an arrow; the state is the one that puts those up. Those can be requested from the state but local road signs (Lake Road) would be required because people need to be able to readily find the campground. Signs are important to get from the road back to the campground especially if one has been traveling for a few hours.

Russ Zupanic – Are you looking at relocating here in the summertime?

Perry – I'll be living on the property. You need to always live on the property because that is the only way you can properly manage it. There may be one person as a fulltime resident/caretaker.

Wayne Brezina – Do you plan on putting up the typical KOA office/accessory store?

Perry – They no longer have a standard A-frame KOA building, they just want so many square feet. They want you to carry certain levels of products - food, RV supplies, clothing. It's quite expensive to meet their requirements but you hope the business will be there to support it. I plan to run a class operation. Campers are impressed first by the impression of the park as they pull up, second is how they are greeted, and third is the restrooms and then it goes to the site location and amenities, activities, security, etc.

Russ Zupanic – Do you have any time restraints? Any if you had your way what would you want from us?

Perry – I have an inspection period of about another 40 days. I think I have indicated what would work well – item 2 is a very important thing and a line-by-line discussion would be fine.

Russ Zupanic – You had mentioned that the electrical grid is kind of deficient but have you had a chance to talk to other county people about sewer or water availability.

Perry – I talked with the sewer district person and we worked out a situation to where the current billing system will remain because there is no water meter to charge for sewage. Once a new pump house is built and a water meter is established then billing would be based the water usage. You work with the EPA on the drinking water and wastewater as well. To my knowledge there is not an issue with the availability of water or sewer. I'm hoping to get another well.

The Board proceeded to review Article VI. Section 606. A. 25. Specific conditions pertaining to recreation areas, which allow campgrounds:

Perry – Item c, the 100' from the property line – Again the state of Ohio has 7 ½' and not sure why the 7 ½' wouldn't work at this location.

Russ – The property on the North is bordered by residential area? It is presently owned by North Coast Premier Soccer (NCPS).

Perry – There is a drainage ditch that is some 20' wide that flows from the Medina Sod property down to Chippewa Creek and on the East side would be Chippewa Creek and the highway is on the other side of that and then you have SR-224/I-71 on the south side, on the west side you would have the lake and the approach to the park.

Jim – For the most part you are surrounded to the north by NCPS, the west by NCPS, the south by highways, and to the east by Chippewa Creek. The ditch/creek is pretty much your property line on two sides.

There was more discussion about the ODH provision of 7 ½' from the property line to the 100' from all property lines for all structures (25. c.).

Jim Likley – What we have to take into consideration is that perhaps the 7 ½' would work in this location but this zoning regulation isn't just for Chippewa Valley Campground. Someone could come in, look at these regulations, and say I want to build a campground on a farm that is two miles down the road and then put their facilities 7 ½' from the property line. So the regulations that we have to look at aren't specific to your situation, they are specific to the township as a whole, even if ODH regulations indicate 7 ½'.

Perry – There is no maintenance building on that property. I would want to put in a pole barn type of facility (to park mowers and equipment) and that would be 7 ½' from the ditch. The other thing is bathhouses must be within 500' of any campsite so there will need to be plenty of bathhouses put in. I'm also concerned about the floodway requirements because I can't raise the elevation. In the floodplain I have to raise whatever building I have approximately three feet. ODH requirements for restroom facilities say 1000' but KOA requirements are 500'.

Jim Likley – I spoke with local, county, state health/building people and found there are some inconsistencies - who is responsible for what and who does the inspections for what. It may be that we need to get a letter of commitment from building department and health department as to what their jurisdiction is.

Perry – Janet Gamble is the first person that does the inspection (the sanitarian). Her expertise is in being able to interpret the ODH regulations. Your building department is licensed and they will inspect any permit that I call - they are duty bound to do so. I've already checked with the state of Ohio on this matter and I can guarantee you that once I pull a permit there will be an inspection by your building department. Ohio Edison and I are working on a solution to get the electrical system corrected with shared expense (new primary cable and transformers). Your county will do any building and plumbing inspections. Any other inspections that would be required will be through a plan review with ODH.

Review of Article VI. Section 606. A. 25 -

- a. The recreational uses permitted will be only those specifically listed in the certificate granted.

Perry - What does this mean? What certificate are we talking about? In the state of Ohio we have a license and we are duty bound to do certain things under that license.

Board - Recreational uses would be boating, canoeing and all the different offshoots or businesses that could evolve from there. The campground has a conditional use certificate in our zoning – in RR it's a conditional use. When it was initially established it came before the BZA for a conditional use application (we may need to look at it when it was granted as to what was specified). The conditional use that has been granted for that campground has been grandfathered and as long as it is a campground it is a conditional use regardless of the owner. If it no longer continues as a campground then it would have to come back and reapply.

Perry – What about if I put a water park in at the campground?

Board – That's where it falls under specific listed uses – those specifically listed in the certificate granted. If in the process you said you want to have golf, canoe rental, a diner, horseshoes, game room – and you get that conditional use from those specific listings and five years from now you say well I want to make a water park, then it changes.

Perry – Yogi campgrounds have pools and then they have what they call a mini-water park onto the pool where you have devices that spray water.

Board – The connotation of a water park could be from something that is 5 stories high and is attached to a hotel area, or just high-rise tube slides. We need to be concerned with the future growth in the township and we don't want anything that is not conducive to the general well being of the citizens.

Result: Need to see what the certificate was and what needs to be added for all of us to agree.

- b. All aspects of the campground shall comply with the Westfield Township Zoning Resolution, Medina County Subdivision Regulations, Medina County Building Code, Ohio Basic Building Code and Ohio Sanitary Code as amended or supplemented where applicable.

Perry – The ODH has that covered.

Result – OK as is.

- c. All structures and specific recreational uses and facilities shall be located at least 100 feet from all property lines.

Perry – This is the 7 ½' that I feel is important from my standpoint.

Result – Change 100' to 25' but further discussion is needed, as Perry wants 7 ½'.

- d. Floodlights, loud speakers or amplified sound, which cause a hazard or annoyance, shall not be permitted.

Perry – I would want to have a band/dances but clearly I can't do anything about the highway lighting. Is a band going to be an annoyance because the trucks on the highway cause noise as well?

Board – What kind of standard does KOA or the industry have?

Perry – Quiet time is generally 11 p.m. till 8 a.m.

Result – OK with stating quiet time is between 11 p.m. to 8 a.m.

- e. Lighting shall in no way impair safe movement of traffic on any street or highway.

Result – OK as is.

- f. Vehicular approaches to the property shall be so designed and located that they will create minimum interference with traffic on the surrounding public streets.

Result – OK as is.

- g. All internal driveways shall be paved with asphalt, gravel or other material in order to minimize dust and erosion.

Result – OK as is.

- h. Off street parking space shall be provided. The proper number of spaces should be based on consideration of the maximum number of motor vehicles that can be expected to be at the premises at the same time on any average day of full use of the premises.

Perry – What do you mean by off street parking?

Board – What is the industry standard? If you have 164 campsites, they have to have some place to pull off the access road to the site, their vehicle/car. What is the industry standard for visitor parking?

Perry – Customarily the sites are large enough for two vehicles and a RV and adequate clearance down the road. We also generally provide a visitors' parking area so visitors park outside the site area. Off site/visitor parking is based on the usage of the park. ODH requires the site plan to go to the Fire Marshall.

Board – Our concern is safety – we don't want vehicles parking in the access roads because emergency vehicles need access to the campground area.

Result – ODH governs – eliminate this item.

- i. Any cottages or cabins for casual rental use must conform to the Medina County Building Code regulation and have permanent sewage facilities. Cottages or cabins erected under the provisions of the Zoning Resolution absolutely must not be used for permanent dwelling purposes. Minimum clearance between cottages or cabins shall be 75 feet.

Perry – It may be that Medina County wants sanitary facilities in the cabins and that's why it was put in and that's going to be a problem.

Board – Wants to keep in that cottages/cabins must not be used for permanent dwelling purposes. ODH doesn't address permanent residency.

Perry – As to the minimum clearance of 75 feet – that’s excessive. Cabin site size is typically the same as camping units – 15’ side by side; 10’ end to end; 10’ corner to corner.

Result – Board has no problem with eliminating the provisions for 75’ clearance and the sewage facilities in cottages/cabins - to comply with ODH regulations. Permanent residency needs further discussion.

j. Recreational vehicles such as travel trailers, camping trailers, truck campers or motor homes may be permitted in such campgrounds subject to the following restrictions in addition to those listed above:

1. The maximum density of sites shall not exceed 15 sites per acre on the average. Higher densities may be permitted on portions of the property, provided the minimum site size and other requirements are maintained and provided further the overall density does not exceed 15 sites per acre.

Perry – You couldn’t operate a park under that density limit. Customarily there are between 30-40 sites per acre depending on what you are going to put there. If it’s going to be pop-ups or tents you can have 30-40 sites/acre. If it’s going to be 5-wheelers or trailers with tip-outs you can have 20-25 sites/acre. If you’re going super-sites you might be at 15 sites/acre.

Result – Board has no problem eliminating this density requirement.

2. The minimum campsite size shall be 1,600 square feet.

Perry – The state of Ohio is 1,000 square feet.

Result – Board has no problem with the ODH requirement of 1,000 square feet minimum campsite size; change from 1600 to 1000 square feet.

3. A minimum of 1½ parking spaces shall be provided for each site with at least one (1) space provided on the campsite.

Result – OK as is.

4. No recreational vehicle or camping tent shall be used as a permanent residence.

Perry – I have a problem with recreational vehicles because there are seniors that live in those vehicles year around. They pay \$3-\$4 million dollars for them and they live in them – here I don’t think they would but if one had a sick relative nearby they may want to live nearby. Another

example would be employees working on certain projects that live on the road who home school their children.

Board – What defines permanent residence? How long does a camper have to be there – a year or what? Don't want to see school buses stopping by there. Concern is with the local school systems and property taxes. It's a legitimate concern for the community and the taxpayers.

Russ – No recreational vehicle or camping tent shall be used as a permanent residence to further burden the village or the taxpayers.

Result – Further discussion is needed as to permanent residency.

5. Winter storage of recreational vehicles may be permitted, either on campsites or within a central storage compound.

Result – OK as is.

6. Medina County Health Department approval of an adequate on-site sewage system shall be required prior to the granting of a conditional zoning certificate.

Result – OK as is.

- k. Accessory uses may be permitted provided the following requirements are met:

1. Refreshments stands.
2. Bath houses which must have the prior approval of the Medina County Board of Health.
3. Picnic shelters.
4. Tents erected by scouts, church groups, civic groups, supervised by manager of recreational area and leader of group. Tents may not remain longer than a two (2) week period under any one group.

Board – What exactly does this mean?

Result – Items 1 and 3 no problem. Item 2 might be redundant as ODH regulates. Item 4 can be eliminated. Might want to add things such as putt-putt or any future day-to-day operation of other recreation activities. However, all KOA activities are brought forth in site plan review before the ODH. Don't want to limit the type of activities and don't want to have you come back each and every time for a new activity (softball, etc.). Potentially change this to state – comply with KOA regulations.

RECAP OF CONCERNS TO BE DISCUSSED FURTHER.

25 a. What is the certificate?

25 c. Structures within 100' (25' and/or 7 ½') of the property lines.

25 i. And j.4. Permanent dwelling units. – Undecided.

25 k. Accessory use – might need clarification.

Perry – We have another level of government here – the ODH – and it is looking out for your concerns. ODH is concerned first and foremost about the safety to the public. You need to provide me with more information regarding the certificate and further discussion about the definition of permanent residency.

Perry – ODH allows for two mobile homes on the property. Generally they allow that for security, maintenance and care of the facilities. I plan to have a manufactured home on the property but I still need to get permission from ODH to put it there.

Board – Suggested language change - Permanent residents shall be restricted to the owner(s) and caretaker(s) of the property for normal campground business purposes.

Board – Suggested language change – For purposes of camping, we can go the 7 ½' standards per the ODH regulations. Instead of 100', use what is standard for other structures in our zoning, which is 25'. If you want less, you can apply for a variance before the Board of Zoning Appeals for the 7 ½'. Majority of Board agreed with 7 ½' per ODH for this item.

Consensus of the Board was that the changes are not that great and the changes are basically getting rid of the redundancy since the ODH regulates campgrounds under Ohio Administrative Code Chapter 3701-25. It is understood that Perry would have to present all his site plans to ODH for review.

Perry – The permanent residency I have no problem with that but yet I don't want to turn away that couple with a sick grandmother who may want to stay in their year-around vehicle if I'm open in the winter.

Board needs to talk with legal counsel and/or planning Commission regarding accessory/ancillary uses and about further discussion items.

Announcements

Next regular meeting will be Tuesday, June 13, 2006, at 7:30 p.m.

Adjournment

Upon motion by Jill Kemp, duly seconded by Scott Anderson, and unanimously passed, the meeting adjourned at 10:10 p.m.

Marlene L. Oiler, Certified PP, PLS
Westfield Township Zoning Commission Secretary

(Minutes approved 6/13/06)