

**WESTFIELD TOWNSHIP BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
OCTOBER 14, 2008**

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

APPROVAL OF SEPT 9, 2008 MEETING MINUTES

Ms. Sturdevant made a motion to table the September 9, 2008 minutes until the Commission's next regularly scheduled meeting on November 11, 2008. It was seconded by Mr. Miller.

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

APPROVAL OF SEPT 25, 2008 MEETING MINUTES

Mr. Miller made a motion to table the September 25, 2008 minutes until the Commission's next regularly scheduled meeting on November 11, 2008. It was seconded by Mr. Anderson.

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

Ms. Sturdevant read the minutes from June 10, 2008, which stated "The Commission reviewed an error in the zoning text. Under Section 807 D. (m) it states "If applicable, an erosion control plan as required by Section 205 H." However, the currently existing Section 205-H. addressed Exterior Loudspeakers, which is not the correct section. This error was probably made during an update. Fiscal Officer Evans researched this and has suggested that since the Township does not have authority over an erosion control plan and that the following language be adopted: Section 807 D. (m) "If applicable, an erosion control plan as required by the Medina County Soil and Water District and or Medina County Storm Water Management."

Ms. Sturdevant made a motion to propose a text amendment of Section 807 D (m) to read, "If applicable, an erosion control plan as required by the Medina County Soil and Water District and or Medina County Storm Water Management Permit." It was seconded by Mr. Miller.

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

Secretary Ferencz stated that was when her daughter was taken to the hospital unexpectedly and apologized to the Commission that it was not done. She asked that a new motion be made to forward the correction and proposed sign text amendment and she would follow through with the legal procedure accordingly."

Ms. Sturdevant asked if the Commission needed to rescind their first motion and make a new motion to forward the correction and sign text amendment to Planning for their review and subsequent public hearing. Trustee Likley stated he did not believe so unless the Commission's position had changed. The Commission stated it's position had not the correction would move forward accordingly.

Trustee Likley stated everyone should have received the updated FEMA floodplain map effective August 4 2008. He continued that the map should be adopted in the Zoning Resolution under the Natural Hazard Overlay District and the reference language changed. This is Section 302 B.1.a.

Mr. Miller made a motion to adopt the August 4, 2008 Westfield Township FEMA Designated Floodplains and FloodWays Map as our Natural Hazards Overlay Zoning District Map per Section 302 B.1.a. of the Township Zoning Resolution.

It was seconded by Mr. Anderson.

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

SIGNAGE LANGUAGE REGULATIONS

Ms. Sturdevant stated that at the June 10 2008 meeting, "The Board discussed the response received from the Medina County Dept. of Planning Services regarding the proposed revisions to Article IV Section 404, 405, 406 and 407 dated 04/22/08.

The first comment was that the sign Matrix needs to have a number or letter and should be set up as a table. The Commission decided that the table should be referred to as Section 406 C.

The second comment was the Matrix does not mention signs for subdivisions of 50 or greater sublots or for signs permitted as or of part Conditional Uses by the BZA.

Trustee Likley responded he could see the Planning Commission's view point in that in the RR District for example it allows for conditional uses such a church or a school. The probability of them wanting a larger sign than what is permitted is a reality and to do so they would need to apply for a variance. The sign language as drafted does not distinguish between a sign for a permitted use and a conditional use and the Planning Commission is bringing that to the Commission's attention. It is up to the Commission to determine if you want to make a section on signs for conditional uses especially for the RR and SR Districts."

Chair Kemp stated she had marked her copy of the proposed signage language to be forwarded to Planning, which took place at the Commission's special meeting on April 22, 2008.

Section 406.A1 was now proposed to read,

One **permanent** sign, Which may be a wall or free standing sign, not to exceed twelve (12) square feet in area shall be permitted for each lot or parcel. If free-standing, no part of the sign

or its structure shall not exceed six (6) feet in height nor shall such be located less than ten (10) feet from the road right of way or any lot lines.

There was then discussion on the matrix and whether it covered all signs in all districts or just residential. It was stated that the matrix should appear in Section 406 (Signs permitted in Residential Districts as letter C. and in Section 407 (Signs permitted in the HC, LC, and I Districts as letter D.

Ms.Sturdevant stated that at the June 10, 2008 meeting, “The Commission then discussed the issue of the size of the signs (temporary and permanent) and the issue if a zoning certificate should be required. There was much discussion as to whether under the proposed Matrix Permanent Signs a Zoning Certificate would be required if the permanent sign was greater than 12-sq. ft. The Commission discussed as to whether there should be a cap on size of a sign especially in the RR and SR Districts with such permitted and/or conditionally permitted uses such home occupation, farmer markets etc.

Ms. Sturdevant suggested investigating businesses to see on average how large their signage is. She added it would take some time and work and would not be a quick fix.” Ms. Sturdevant continued that was why the Commission decided to table the proposed signage language.

Mr. Miller stated that is should not matter what other Township’s have as their regulations the Commission should decide what is best for Westfield Township. Ms.Sturdevant stated she was not suggesting looking at other Township’s but as she stated in the June 10, 2008 minutes suggests investigating businesses to see what their current or average business sign consists of in terms of size and height. Mr. Miller asked if the Commission was going to base the Township’s sign regulations on what size the businesses wanted or what size was best for Westfield Township? Ms.Sturdevant responded no, but if we don’t know what size to make a particular sign that is used by businesses. What we need to determine is what size sign will be required to get a zoning certificate.

Mr. Miller stated that under Section 404 of the Resolution it is entitled, Zoning Certificate Exceptions. To him that meant anything not on that list will require a Zoning Certificate. Trustee Likley stated that the one he felt was in question was F. One temporary sign not exceeding four (4) square ft. in area per lot or parcel.” Then there was questions what if one had a For Sale sign, a garage sale sign and another such temporary sign all on one’s property at one time. Would zoning certificates be required for more than 1 temporary sign? Also it was mentioned about corner lots and the number of signs

that would be permitted. Chair Kemp stated she had in her documentation that Section 406 B.1 was proposed to read,

Two (2) temporary signs per frontage per lot which may be either wall or free standing signs, not to exceed four (4) square feet in area shall be permitted for each lot or parcel. Free-standing temporary signs shall not exceed three (3) feet in height nor shall such sign be located less than ten (10) feet from any lot line, or within the road right of way.

It was determined that per Section 404 Zoning Certificate Exemptions F. if a sign is over 4 sq. ft. it will require a zoning certificate. Ms. Sturdevant stated that the Commission also discussed whether there should be a cap on the size of a sign especially in the RR and SR to control signage in those districts. Trustee Likely stated 12-sq. ft. is the requirement and anything over that would require a variance to be granted.

Ms. Sturdevant asked who would be responsible for drawing the matrix so it coordinates under Section 406 and Section 407 and reflects the correct lettering and numbering? Trustee Likely stated it should be a board member (s). The inclusion of the matrix was to give a visual as to what the code referenced. If the Commission feels that the matrix is not necessary and is content with the language alone that is your decision to make. Ms. Sturdevant stated she would take on the responsibility of creating the matrix for the Commission's review.

Ms. Sturdevant stated the letter from Planning stated the matrix did not mention signs for subdivisions of 50 or greater sublots or for signs permitted as or part of Conditional Uses by the BZA. Trustee Likely stated under Section 406 A.2 it states, "A residential development containing more than 50 dwelling units may be permitted one free standing sign at each entrance..." Ms. Sturdevant responded that was not addressed in the matrix. Trustee Likely stated he felt the language under that section was sufficient in addressing such a sign. He added that regarding the BZA, they would still follow the same guidelines that are set. Trustee Likely stated the purpose of the matrix was to reference the temporary or permanent sign permitted and the number of those signs permitted in the specified zoning districts. Ms. Sturdevant stated she would create the matrix and bring it to the Commission for review.

The Commission then went back to discuss conditional uses as it pertained to signage. At the June 10, 2008 meeting of the Commission, it was stated that the Planning Commission commented that the matrix did not reflect signs permitted as part of Conditional Uses by the BZA. "Trustee Likely responded that he could see the Planning Commission's view point in that in the RR District for example it allows for conditional uses such as a church or a school. The probability of them wanting a larger sign than what is permitted is a reality and to do so they would need to apply for a variance. The sign language as drafted does not distinguish between a sign for a permitted use and a conditional use and the Planning Commission is bringing that to the Commission's

attention. It is up to the Commission to determine if you want to make a section on signs for conditional uses especially for the RR and SR Districts.”

Trustee Likley stated this evening that to make such a section on signs for conditionally permitted uses, especially for the RR and SR Districts would benefit the BZA in their conditional approval process. Churches and schools and such governmental entities are conditionally permitted uses in the Rural Residential District but going by customary standards, they would probably want a larger sign than the permitted 12 sq. ft. However, if the Commission does not want to make the signs larger they would have to go before the BZA. The Commission decided they did not want to make a section on signs for conditionally permitted uses but would rather have the signage wording and matrix remain as proposed and if anyone who was applying for a conditionally permitted use and wanted a larger sign would have to apply to the BZA.

Ms. Sturdevant stated she believed that the Commission should be proactive in drafting PUD language so if the application for the Kratzer property makes it through the Trustees, the Commission would not be behind the 8 ball. She added Stan Scheetz did put together draft language for a site specific PUD and she appreciated that, but she would not review that language. Ms. Sturdevant added that the reason why was that she did not want that to taint her view on what we (the Commission) want for the Township for that area. Ms. Sturdevant continued that she had examples of PUD language and she would make copies and pass them out to the Commission members for review as well as riparian setback language.

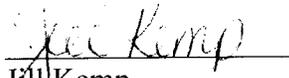
Ms. Brewer and Ms. Sturdevant are scheduled to attend a workshop on PUD's on October 31, 2008. They stated they would pick up and distribute the information passed out at the workshop and forward to the other Commission members. Mr. Miller also passed out information on mixed uses and another document from the County advisory board for the Commission's review.

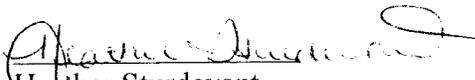
It was stated there is another zoning workshop in Westlake on November 14, 2008. Trustee Likley stated if anyone wanted to attend to get that information into Fiscal Officer Evans.

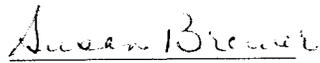
Having no further business before the board, Mr. Miller made a motion to adjourn. It was seconded by Mr. Anderson. All members were in favor.

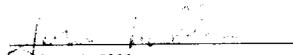
The meeting officially adjourned at 8:45 p.m.

Respectfully Submitted,
Kim Ferencz-Zoning Secretary


Jill Kemp


Heather Sturdevant


Susan Brewer


John Miller


Scott