

Westfield Township Zoning Commission

Special Meeting

January 27, 2021

Chairman Doty called the meeting to order at 6:50 PM.

Roll call: Doty, Franz, Rumburg, Grimm, Kurtz (via zoom)

Attendance via zoom: ZI Sims, Trustee Schmidt, Trustee Horner, Mark Belmont, Jason Lever (Authorized Agent of R, Matt Graber, Fred Herrera

Chairman Doty explains that the special meeting is to accept and review the application for completion which includes a proposed Text Amendment and Map Amendment. Doty stated that the ZC Board has not received 9 copies of the maps and the 6 copies of the application for the text amendment. According to the zoning regulation copies are to be provided to the ZC Board members and submitted at a regularly scheduled ZC meeting according to Article X (Text Amendment guidelines).

ZI Sims explains the location of the "Overlay Map Amendment" which includes 224 (North), Greenwich Road (South) and Lake Road (West); which is written to develop 4 parcels. The Westfield Township Trustees and Planning Services have talked with the developer. Planning Services must receive the application by February 1, 2021 in order to discuss the application at their March 3, 2021 meeting. ZI Sims states that she received the application on Saturday, reviewed the application on Sunday, discussed the application with Assistant Prosecutor Mike Lyons on Monday and deemed the application incomplete. The application was then amended and forwarded to the ZC Board on Tuesday. ZI Sims suggested that the ZC review what is before the Board and send to Planning Services with supplemental materials or changes. The ZC Board members could officially receive the application and provide the necessary changes at the ZC regular meeting.

Doty expressed that the accepting materials is not allowed to be at a special meeting and there are additional materials that are important for the ZC Board members to have for their review. Amending text language should not be done in haste. Also, according to the Ohio Revised Code (ORC 519.12) it states that "after the Zoning Commission receives a completed application and then they will send application to Planning Services. Doty stated the ZC would follow the laws according to the ORC and will also be cooperative to the applicant.

Grimm asked about the pros and cons regarding accepting the application tonight.

Doty stated that accepting the application legally would be the first step and then the ZC would have 5 days to send the documents to the Planning Services.

Doty stated there was not a legal description for all the parcels and the property is only signed by an authorized agent. However, ZI Sims stated that Assistant Prosecutor Lyons says the signature is fine. Doty would like Lyon's opinion to be in writing or the property owner/leasee sign the application.

ZI Sims suggest Doty should call Lyons directly for clarification and for expedience.

Jason Lever would like the Board to tell them exactly what is needed to proceed with the application.

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Doty stated that the application should be copied and separated in two applications: Text Amendment and Map Amendment. Some of the maps and documents may have to be copied and put in each file for the application to be understood and complete.

Franz stated that they would receive the completed applications (2 separate documents and attachments) at the February 17, 2021 ZC regular meeting.

Doty stated that the legal description seems fine since all 4 properties are merged into one. Doty would also like larger maps.

Matt Graber stated that the GIS Image does not have the capabilities for larger maps but he will see what they can do.

Doty stated that the changes to the zoning resolution will need to be changed if the new language changes anywhere in our zoning including section 301. A. and section 301.B.

Mark Belmont added he would bring the documents (9 copies of each application) directly to the townhall and place in the white mailbox in the back of the building.

Rumburg stated that the new Highway Commercial Industrial District (HCIPD) is now Section 309 and Section 308 which is our East Greenwich Road Overlay District is not listed on the title page of our zoning text.

ZI Sims stated that any deed restrictions on the neighboring parcels must be submitted to the board so they may make an informed decision. She has been verbally told there were some restrictions.

Matt Graber stated that those deed restrictions were only temporary and were subjective.

ZI Sims stated they need a copy for the ZC to consider. Especially is there are high pressure gas lines which need to be included on the map amendment documents.

Mark Belmont stated there were easements, not deed restrictions.

Doty asked that if the maps were 'surveyor prepared' then the documents should make reference to "deeds of records" and "prepared by surveyor".

ZI Sims suggested looking at the Text Amendment 301 A and Article III, Section 309 as the Highway Commercial Industrial Planned Unit Overlay District (HCIPD) and to be sure to include in your application any changes throughout the zoning text that may need to be modified including the definitions.

Regular Scheduled meeting is Wednesday, February 17th at 6:30 PM.

Doty makes a motion to adjourn at 8:10 PM; seconded by Franz. All said aye.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

Date approved: 17 February 2021

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Joseph Doty, ZC Chairman

Jack Franz, ZC Vice-chair

Carol Rumburg, ZC Board Member

Terri Grimm, ZC Board Member

John Kurtz, ZC Board Member