

**ZONING COMMISSION MEETING MINUTES
MARCH 4, 2010
6:00 P.M.**

Chairperson Jane Scott convened the Zoning Commission meeting at 6:00 p.m. Present members were Ernest Stein, Mark Wasick, Jane Scott and alternate Bill Daniel. Alan Weinstein, Peggy Spraggins and Matt Springer were also present. Colleen Ahern and Jim Phelps were not present.

Guests present included Mr. David Burkovitz who is a licensed architect and present this evening representing a client who owns commercially zoned property within the Township.

Mr. Wasick moved to approve the February 4, 2010 minutes with one grammatical change being made to line 27, which states Ms. Ahern “presided” as Chairperson for the January 4, 2010 meeting, Mr. Stein, second.

Mrs. Scott called for a vote.

Roll call on the motion:

**Aye: Mark Wasick, Jane Scott, Ernest Stein, Bill Daniel
Nay: None
Abstain: None
The motion carried.**

Mr. Weinstein continued the discussion of the re-write of the Zoning Resolution.

Mr. Weinstein stated that **Article 11** addresses the Board of Zoning Appeals, Administrative Appeals, Variance Petitions and Conditional Use Permits and has been reviewed by Staff.

After discussion, the Commission members made some changes in the draft. Mr. Weinstein will make the requested changes and forward the revisions to the Zoning Department so they can forward the proposed text amendments within five (5) days to the Summit County Planning Commission.

Ms. Scott asked for additional comments from the Commission.

None were offered.

Mr. Wasick moved that Art. 11, dated March, 4, 2010 as amended by the Zoning Commission be forwarded to the Summit County Planning Commission for their recommendation and to set a public hearing for May 3rd at 6:00 p.m. and for the Zoning Department to advertise for the public hearing as required by law, Mr. Stein, second.

Mrs. Scott called for a vote.

Roll call on the motion:

**Aye: Mark Wasick, Jane Scott, Ernest Stein, Bill Daniel
Nay: None
Abstain: None
The motion carried.**

Mr. Weinstein stated that **Article 12** addresses the Zoning Commission as well as Zoning Amendments and has been reviewed by Staff.

After discussion, the Commission members asked the Zoning Department to forward the proposed text amendments within five (5) days to the Summit County Planning Commission for recommendation.

Ms. Scott asked for additional comments from the Commission.

None were offered.

Mr. Wasick moved that Art. 12, dated March, 4, 2010 be forwarded to the Summit County Planning Commission for their recommendation and to set a public hearing for May 3rd at 6:00 p.m. and for the Zoning Department to advertise for the public hearing as required by law, Mr. Stein, second.

Mrs. Scott called for a vote.

Roll call on the motion:

Aye: Mark Wasick, Jane Scott, Ernest Stein, Bill Daniel
Nay: None
Abstain: None
The motion carried.

Mr. Weinstein stated that **Article 13** addresses Administration and Enforcement and has been reviewed by Staff.

Mr. Stein stated that he was troubled by the language in Article 13 which refers to the vague use of “consultants” used by the Township in the event of a complex development requiring additional external expertise.

After discussion, the Commission members asked that Article 13 be revisited at the April 5, 2010 Zoning Commission meeting. Mr. Weinstein agreed to make revisions and discuss this matter with Staff prior to the April 5th meeting.

Mr. Weinstein discussed proposed language in Articles 7 and 10. Furthermore, Mr. Weinstein discussed repealing current text addressing the Planned Residential Development District (PRDD) and the Unified Residential Development District (URDD) currently in the Zoning Resolution. Mr. Weinstein continued in saying that these two sections could be placed as appendices; similar to the Residential-7 (R-7) zoned district that has been repealed.

Ms. Scott asked for additional comments from the Commission.

None were offered.

Ms. Scott asked if there was business from the Zoning Inspectors.

Ms. Schultz stated that Staff had recently met with an architectural firm in the planning stages of redesigning an existing façade at a commercial property within the Township. Ms. Schultz stated that the façade change would include placing a multiple tenant signs on the wall. However, the signs would extend above the roof line by several feet and would only be attached to the wall for support. Ms. Schultz asked the Zoning Commission if it was their interpretation that this type of sign should be permitted and/or treated as a wall sign.

The Zoning Commission agreed that this type of sign is permitted and should follow the regulations set forth in the existing Zoning Resolution governing wall type signs which does not allow for any sign type to be placed upon a rooftop.

Ms. Scott asked if there was any business from the floor.

Mr. David Burkovitz asked why placing a timeframe on a conditional use would be

beneficial for an applicant.

Mr. Weinstein stated that in some cases, applicants may only need a site for a relatively short time period; thus changing the way the Board looks at a particular scenario.

Mr. Burkovitz asked why consultants would be necessary when several Summit County agencies are currently reviewing site plans for the Township.

Mr. Weinstein stated that the Summit County agencies are making recommendations only and review the site plan from their particular expertise. Mr. Weinstein stated the Township should reserve the right to select qualified professional consultants to review complex site plans if additional assistance is needed. Mr. Weinstein stated that if the Township abuses the use of consultants in an attempt to prolong a development project, then the Township opens itself up to legal ramifications as a consequence.

Ms. Scott stated that Mr. Burkovitz had great points and asked that he put any remaining issues in writing so that they could be discussed at future Zoning Commission meetings.

Mr. Burkovitz stated that he would submit questions and statements in writing prior to the next Zoning Commission meeting.

Mr. Wasick asked that Mr. Weinstein discuss briefly the term cumulative zoning at the next Zoning Commission meeting. Mr. Weinstein agreed to forward material to Staff members discussing cumulative zoning prior to the next meeting.

With no further business to come before the Commission, the meeting was adjourned at 8:05 p.m.

Mrs. Jane Scott, Chairperson

Matt Springer, Asst. ZI