

Westfield Township Board of Zoning Appeals

Public Hearing
February 29, 2016
North Coast Soccer Conditional Use and Site Plan

Roll call: Simmerer- aye, Stacy- aye, Daugherty- aye, Moore- aye, McGlashan- aye, Fleming (alternate) – aye.

Also in attendance are Trustee Likley and Zoning Inspector Sims

Chairman Daugherty explained that North Coast Soccer is before the Board due to the expired 5 year conditional use. Mr. Sweeney is looking for a Conditional Use for 11 items and to have them exist perpetually. Daugherty explained that Conditional Use # 9 no longer applies (contact the county to discuss the increase in parking). Daugherty stated that the Board may grant conditional uses without an end date.

Mr. Sweeney was sworn in by Zoning Secretary Porter. Mr. Sweeney resides at 7239 Forest Drive, Independence, Ohio 44131. Mr. Sweeney testified that North Coast has followed all of the conditions set forth by the board and they also provided a buffer of shrubs and trees.

The Board examined the conditions:

1. Provide Restrooms
2. Comply with Sections 602- 605 and 606
3. Law Enforcement is at all larger tournaments to direct traffic
4. Traffic control person will be stationed inside the property during larger tournaments to direct EMS equipment in case of emergency
5. Not utilize fields unless adequate personnel to direct traffic
6. No more than 250 teams play in 1 day
7. No games start prior to 9am by Buffham Road fields
8. Mowing to landscaped areas to prevent weeds
9. No longer applies
10. No porta johns by the Buffham Road property
11. Fire Chief/ Inspector provided key for emergencies

The Board unanimously agree with the existing conditions.

The Board examined the General Standards Section 605

#1: The Board agreed unanimously that the area is harmonious.

#2: The Board agreed unanimously the character has not been changed in the neighborhood.

#3: The Board agreed unanimously that the area is not a hazard to existing uses.

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#4: The Board agreed unanimously that the area is not detrimental to the property or the community.

#5: The Board agreed unanimously that the use area can be served by public services such as police, fire etc.

#6: The Board agreed unanimously will be in compliance with state and township regulations including Westfield Township Comprehensive Plan.

#7: The Board agreed unanimously will have vehicular approaches to the property that will not interfere with the area.

The Board examined Section 606, RR on page 70 in the Zoning Text

#2: All structures 100 feet from the property line (there are no structures that apply on this property).

#3: Loud speakers or amplifiers are not used and are not a hazard.

#6: Lighting does not shine on other properties.

#11: Site locations include natural barriers towards the 5818 Buffham Road property where it butts up against these properties

ZI Sims explains there were no requests to see the files or any complaints regarding the property.

#8: Adjacent neighbor has a landscape buffer as previously required as well as NCS building a fence on this property line.

#13: Neat and orderly property.

#18: Only retail use is refreshments during the tournaments.

#19: The tournaments are supervised and Sweeney expressed that the Fire Department and EMS have done an excellent job. He also explained that coaches are better trained and there are less accidents or issues.

#32: Similar Use

#33: Government uses provided

Daugherty asked the Board Members for their comments and they expressed that this business is great for kids and is a huge asset to the community.

None of the Board Members felt they should place a time frame on the conditional use unless there is a change in the use.

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ZI Sims would like the property to be in compliance at all times and any modifications from the site-plan will be an automatic review by the BZA. She also said Mr. Sweeney has been proactive and has worked with the Medina County Prosecutor's office and with the township on all matters.

Moore asked about what would be expected if the property was sold or changed owners.

Trustee Likley said the Conditional Use will carry over to the new owners as long as the property is used for a similar use and no modifications take place. His recommendation would be to grant the Conditional Use and establish as a perpetual use even if ownership changes. This Condition stays with the property.

ZI Sims suggested to the Board to be clear in the motion.

#11: Will include partners or family changing hands

Likley suggested there not be a condition on the sale of the property because this Board's decision could affect the sale of the property. He also stated that if the property owners are in violation of the conditions then they will be cited.

Simmerer agreed that the property owners will be self-policing themselves by complying to the conditions or be written a violation.

Comments from the audience: Kevin Homonai- 8570 Ryan Road testified that kids do go onto their property but NCS are good neighbors.

Daugherty closed the Public Participation.

#1: The board agreed that NCS were in compliance with all of the conditions of the Township.

#2: The board agreed that NCS must come before the board if there are any changes to the property and provide a new site plan. This does not include if the use changes if it is 'similar in character' as stated in the zoning text.

Simmerer makes a motion to grant the Conditional Use for NCS and make these conditions perpetual and to adopt the ten conditions as agreed by the Board as well as the two specific conditions brought forth by the Zoning Inspector; seconded by Stacy. Roll call: Simmerer- aye, Stacy- aye, Daugherty- aye, Moore- aye, McGlashan- aye. The motion passes.

Simmerer makes a motion to accept the Site Plan as submitted; seconded by Moore. All said aye.

Discussion: This includes the 2010 Approved Site Plan and the February 29, 2016 Map.

The motion passes.

Moore makes a motion to adjourn the Public Hearing at 7:45 PM; seconded by Stacy. All said aye.

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Respectfully submitted by:

Cheryl Porter, Zoning Secretary

Date approved: 21 April 2016

BZA Chair, Kevin Daugherty

BZA Vice-chair, Wayne Moore

BZA Board Member Keith Simmerer

BZA Board Member Jim Stacy

BZA Board Member Greg McGlashan

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