



Zoning Text Amendment

Westfield Township

Meeting: February 3, 2016
Applicant: Westfield Township Zoning Commission
Hearing: TBA (Zoning Commission)
Amendment: Article II, Section (§) 205 Accessory Structures & Uses
 Article III, District Regulations, § 303 C.1; § 307 C.; § 306 C.1 & § 307 C.
 Article V, § 506 Entrances and Exits and § 507 Location of Parking in Yards
 Article XI, § 1102 Definitions and Rules of Construction
Reviewer: Susan Hirsch

Proposed Amendments: (New text is **underlined and bold**, deleted text is ~~red and struck through~~ and staff comments are in *italics*.)

Article II GENERAL REGULATIONS

Section 205 ACCESSORY STRUCTURES AND USES

- A. General.
- An accessory building shall comply with all yard **setback** regulations applicable to the principal building,
- B. Fences.
- Fences shall be permitted in compliance with the standards in the following table. Agricultural fences shall be exempted as provided in Subsection 202. A. 1:

District	Maximum Height	Minimum <u>Maximum</u> Opacity
RR and SR Districts		
Front Yard	4 ft.	40%
Side Yard	6 ft.	None
Rear Yard	6 ft.	None
HC, LC and I Districts		
Front Yard	4 ft.	40%
Side Yard	8 ft.	None
Rear Yard	8 ft.	None

- Fence Height. The height of a fence shall be measured from the top elevation of the top board, rail, or wire to the natural grade of the ground, or, in the case of a wall, from the top surface to the ground.
 - Fence(s) ~~(6) feet or greater in than six (6) feet in height~~ may require Medina County Building Department review.** *Suggest rewording as follows:
 Fence(s) greater than six (6) feet in height require a Building Permit from the Medina County Building Department.” The Building Dept. suggests that an applicant check with them to see if a Building Permit is required.*

3. Fence Opacity. ~~Opacity shall be that proportion of the surface of a typical section or panel of a fence which is open to light and air when viewed along a line perpendicular to the fence section or panel.~~ **Fence opacity is the degree of openness which light or views is blocked measured perpendicular to the fence for each fence section between supports,**

M. Driveway Entrance Feature.

Structure built at the entrance and/or exit of a lot for the purpose of security and/or decoration:

1. **SHALL NOT be built within the road right-of-way.**
2. ~~May be constructed of natural and/or man-made materials.~~ **Shall not be made of chain link, mesh or metal pipe material.**
3. **May be solid wall construction, not to exceed (40) forty lineal feet from the wall opening on either side of the entrance.**
4. **Minimum opening width of (20) twenty feet.**
5. **Minimum opening clearance height of (16) sixteen feet.**
6. **Structures greater than six (6) feet in height may require a Medina County Building Department ~~review~~ permit.**

Article III DISTRICT REGULATIONS

(The following changes are proposed for the tables entitled “Minimum Dimensions for Lots and Yards” in each District)

Section 303 RR RURAL RESIDENTIAL DISTRICT

Section 303 D.1

Front Yard ~~Depth~~ **setback**

Side Yard ~~Width~~ **setback**

Rear Yard ~~Depth~~ **setback**

Section 304 SR SUBURBAN RESIDENTIAL DISTRICT

Section 304 D.1

Front Yard ~~Depth~~ **setback**

Side Yard ~~Width~~ **setback**

Rear Yard ~~Depth~~ **setback**

Section 305 LC LOCAL COMMERCIAL DISTRICT

Section 305 C.1

Front Yard ~~Depth~~ **setback**

Side Yard ~~Depth~~ **setback**

Rear Yard ~~Depth~~ **setback**

Section 306 HC HIGHWAY COMMERCIAL DISTRICT

Section 306 C.1

Front Yard ~~Depth~~ **setback**

Side Yard ~~Depth~~ **setback**

Side Yard ~~Depth~~ **setback** adjacent to residential district

Rear Yard ~~Depth~~ setback

Rear Yard ~~Depth~~ setback adjacent to residential district

Section 307 I INDUSTRIAL DISTRICT

Section 307 C

Front Yard ~~Depth~~ setback

Side Yard ~~Width~~ setback

Rear Yard ~~Depth~~ setback

Article V VEHICLES, PARKING AND DRIVEWAYS

Section 506 ENTRANCES AND EXITS

- A. Entrances and exits shall be located to minimize traffic congestion and avoid undue interference with pedestrian access at road intersection corners. Medina County Highway Engineer's office ~~to~~ shall review all entrances and exits onto County and Township roads prior to installation. The Ohio Department of transportation must approve any entrance and exit on a state highway.
- B. ~~Only one (1) access way shall be permitted for each lot.~~
- C. Access ways shall be not more than 30 feet in width at the right-of-way line, except that access ways primarily for truck use shall be not more than 80 feet in width at the right-of-way line.
- D. In the LC and HC districts, no entrance or exit shall be located closer than 150 feet to intersection right-of-way lines.

Section 507 LOCATION OF PARKING IN YARDS

- A. In an RR or SR district, off-road parking facilities, except approved driveways, shall not occupy any part of any required ~~front or side yard~~ setback. *There are some conditionally permitted uses in the residential districts for which you may want to require a landscape buffer.*
- B. In an LC, HC or I district, open off-road parking facilities may be located in the required front yard setback provided that at least a 20 foot wide landscaped strip is located between the parking area and the road right-of-way line. Where a Highway Commercial or Industrial I District abuts a residential district, parking shall not be located closer to the residential district than fifty (50) feet. *In some locations the number is spelled out and then the numeric number is shown in parenthesis, and in other locations it is just the numeric number. Suggest that the Township be consistent, one way or the other.*
- C. In all districts open off-road parking facilities may occupy the ~~required~~ rear and side yard providing that such use meets all the ~~appropriate~~ required side and rear yard setbacks requirements of that district.

Article XI DEFINITIONS AND RULES OF CONSTRUCTION

Section 1102 DEFINITIONS

62. "Structure." Anything constructed or erected which requires location in or on the ground, including signs, fences, walls, buildings, lakes, ponds, swimming pools, satellite dishes, and communications towers, except that, on a lot which is used for a dwelling in any

district, the following shall not be interpreted as structure when established for personal use by the occupant of the dwelling: mail boxes, swing sets, **play set**, sand boxes, bird houses and feeders, basketball, football, tennis, badminton, soccer, and volley ball areas.

71. “Yard.” Terms relating to:

- a. ~~“Yard”. A required open space unoccupied and unobstructed by any structure or portion of a structure from 3 feet above the general ground level of the grade lot upward. Accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. Yard depth shall be measured perpendicular to or as nearly perpendicular as possible to the front, side or rear lot lines. Yard depth shall be measured perpendicular to or as nearly perpendicular as possible to the front, side or rear lot lines.~~
- a. “Yard, Front.” ~~A yard~~ **An area** extending between side lot lines across the front of a lot and from the public or private road right-of-way line to the front of the principal building.
- b. “Yard, Rear.” ~~A yard~~ **An area** extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
- c. “Yard, Side.” ~~A yard~~ **An area** extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
- d. **“Yard Setbacks”. A required open space unoccupied and unobstructed by any structure or portion of a structure from 3 feet above the general ground level of the graded lot upward, unless otherwise ~~permitted~~ regulated by this resolution. Yard ornaments not exceeding 27 cubic feet (3’x3’x3’) and furniture may be permitted in any yard, setback subject to height limitations and requirements limiting obstruction of visibility.**

Yard depth shall be measured perpendicular to or as nearly perpendicular as possible to the front, side or rear lot lines. *A setback is a line or a distance. Suggest omitting the word “yard” and substituting the above with a definition for “setback line” as follows:*

A line established by the Zoning Resolution generally parallel with and measured from a lot line, defining the minimum distance a building, structure, parking area or outdoor storage shall be located from said lot line, except as may be provided by this Zoning Resolution.

This definition will negate the necessity of separate definitions of front, side and rear setbacks.

Adding a definition for “required front, side or rear yard” or “minimum front, side or rear yard” may assist in clarifying the difference between a setback and a yard, as follows:

The area extending from the lot lines to the required setbacks lines, as established by this Zoning Resolution.” This area shall be

unoccupied and unobstructed by any structure or portion of a structure from 3 feet above the general ground level of the graded lot upward, unless otherwise regulated by this Zoning Resolution.

- e. **“Yard Setbacks, Front.” An area extending between side lot lines across the front of a lot and from the public or private road right-of-way line to the depth setback requirements per the zoning district. In the case of a private road, an additional thirty (30) feet from the center line of the road is required.**
- f. **“Yard Setbacks, Rear.” An area extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the depth setback requirements per the zoning district.**
- g. **“Yard Setbacks, Side.” An area extending from the side lot line on both sides parallel extending from the front lot line to the rear lot line to the depth setback requirements per the zoning district.**

Comments: Westfield Township had submitted this text amendment to the Department of Planning Services for Informal Review. This process has allowed us to work out most of the concerns prior to this formal review.

Recommendation: Staff recommends the Medina County Planning Commission **APPROVE WITH MODIFICATIONS** the proposed amendments to: Article II, Section 205 Accessory Structures & Uses; Article III, District Regulations, Section 303 C.1; Section 307 C.; Section 306 C.1 & Section 307 C.; Article V, Section 506 Entrances and Exits and Section 507 Location of Parking in Yards; and Article XI, Section 1102 Definitions and Rules of Construction of the Westfield Township Zoning Resolution, subject to Staff Comments.