

## XENIA TOWNSHIP JOINT TRUSTEE & ZONING COMMISSION

### MEETING

August 30, 2016

**THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE MEETING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.**

The Xenia Township Zoning Commission and Trustees held a meeting on August 30, 2016 at 6:10 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385 with the following members present:

Attendees: Scott Miller (Trustee), Jeffrey Zweber (ZC), Donna Randall (ZC), Susan Spradlin (Trustee), Virgil Ferguson (ZC) , Kent Harbison (ZC) and Alan Stock (Administrator/Zoning Clerk)

Scott Miller called the meeting to order at 6:10 p.m.

Jeff Zweber began with stating that topic one is just a reiteration that this meeting is for discussion purposes. The zoning commission is not interested in talking about anything specific proposals that may come up. This is a generalized meeting for both Boards to have discussions regarding the direction of each group.

Jeffrey Zweber explained that the Land Use and Enforcement of Zoning Text were two topics that the Zoning Commission would like to discuss tonight. He explained that there is a Land Use Plan that the Zoning Commission approved a couple of years ago. It went to the Trustees and citizen comments came back and then it was sent back to the Zoning Commission. Mr. Zweber thought it would be good to talk jointly before the Zoning Commission goes back to work on it. He explained that Mixed Land Use was a topic to discuss. He explained that Mixed Land Use is housing and business together currently that is not valid in any of our zones. He stated that the Zoning Commission would like to hear the Trustees thoughts on this topic. Enforcement has come up at a few public hearings recently that resident were worried about, people have complained about enforcement. He would like to know what tools are available and what changes could be made to enforcement. He stated that the Adult Entertainment regulations which involved changes to the text and then some fee structure that were an action item for the trustees. These are the topics that the Zoning Commission would like to have joint discussion with the Trustees.

There was discussion about which topic to start with and it was decided to start with enforcement. There was discussion about what kind of enforcement can be done. Mr. Zweber stated that he understood the Trustees could declare things a nuisance, such as grass and high weeds. Mr. Miller explained how this process works. He stated that the Trustees cannot enforce any Zoning, that this is the job of the Zoning Inspector. The Zoning Commission defines what enforcement the Inspector can do through Zoning Resolutions. Mr. Zweber explained that they

would like to have the Trustees talk about the tools that can be given to the Zoning Inspector. Mr. Miller used the example of chickens to explain a point. He stated that they all get calls about chickens in residential zones, even though they are not supposed to have chickens in residential areas. Then when they get the information to the Prosecutor's Office, it is up to the presiding Judge who tries to down play the situation. This slows the process down considerably.

There was discussion about signs along US35 that has been put up in the last couple of months and it was thought that this sign was not in compliance with regulations. Mr. Zweber stated that he thought it was too large. There was discussion about the sign and how it did not meet resolution requirements and what could be done so that it would.

There was discussion about how it was decided what sizes of signs were allowed and where, including square footage allowed per property. Mrs. Spradlin stated that she thinks residents should be able to advertise on their property as long as it is not offensive and not causing a hazard. She stated that whatever they come up with it needs to be strong.

Mr. Stock advised that they need to come up with tools so the Trustees are satisfied within the Zoning Code so that they can help the Zoning Inspector enforce the Code. Unfortunately if it goes to court it is then up to the Judge, and some do not care about zoning. Mrs. Spradlin suggested checking with other Townships to see how they handle enforcement. There are many people who comply with Zoning, but others that think they do not have to because they do not think anything will happen to them. So far nothing has happened. It was suggested talking to a Judge or the Prosecutor's Office to see what can be done legally would be a good step. There was discussion about what could be done with the people that just do not comply.

There was discussion about pools and the zoning related to them. What steps could be taken to be sure people are following the rules due to the safety and health issues related to them. There was discussion about putting zoning information in a welcome packet and giving it to the Chamber of Commerce.

Mr. Stock asked the Trustees if they had topics they would like to discuss, and their ideas were mining, setbacks, and 68S upgrade. There was discussion about future meetings. There was discussion about the Land Use Plan and its importance. The universities and their community were discussed because there are different ideas on what different groups of people would like with certain parcels of land. The Land Use Plan will be a lengthy process, but an important one.

Mr. Miller moved to adjourn, Mr. King seconded the motion. All voted aye. Meeting adjourned at 8:43 p.m.

ATTEST:

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Alan D. Stock, Zoning Clerk