

## XENIA TOWNSHIP ZONING COMMISSION

### MEETING

July 17, 2018

**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 held a meeting on July 17, 2018 at 6:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385; this meeting was advertised on the Xenia Township website within 24 hours of scheduling the meeting.

Jeffrey Zweber called the meeting to order at 6:05 p.m.

Attendees: Jeffrey Zweber, Chair, Donna Randall, Virgil Ferguson, Alan King, Alan Stock and Rhonda Painter, guest speaker. Kent Harbison and Roy Colbrunn were absent.

Mr. Zweber introduced the guest speaker, Rhonda Painter and explained that the Commission was hoping she could help them understand more about the RM District. He stated they were hoping she may be able to share her perspective of this district and how the requirements came to be. Mr. Stock asked if Ms. Painter could give some zoning history, when there were other districts like R-1, R-2, R-3 and some of the rationale for changing them.

Ms. Painter stated she started with Xenia Township in 2000 and at that time the Zoning Commission was rewriting the whole Zoning Resolution. She stated the Zoning Commission was struggling with density and there were three R districts; R-1 single family, R-2 two family, and R-3 anything larger than two family. She stated R-1 was like the areas around Kinsey Road, R-2 was around W. Enon Road where there were a series of duplex homes, and R-3 was mostly Wilberforce and the apartments around Hickman Road. She stated those were the main zoning districts at the time and the reason they were divided, so when the Commission rewrote the Residential Districts they decided to have single family and multi family. They eliminated the R-2 and R-3 districts and changed it RM. She sent letters to all the residence in the changing areas and told them to attend the public hearing if they objected to the change. She stated the residents on W. Enon Road wanted there zoning district to stay R-2. She said the text changed but the map showed this area as a R-2 district. There was discussion about the map and the changes that had been made over the years. Ms. Painter stated the next challenge was minimum lot size. She said the R-1 was 150 feet road frontage but the RM, they were looking at square footage and apartments. She stated the Commission wanted to be sure that in the event of an apartment building there would be sufficient yard for a playground or outdoor activities for the residence that lived there. She explained they came up with this ratio, so whatever the living space (square footage) the green space had to be double. She stated that was where the 2 to 1 ratio unit to green space means. Mr. Stock asked if they had four units and each was about 1000 square feet of living space then there would need to be 8000 square feet of green space. Mr. King asked if it should be the other way around. Ms. Painter stated she thought Mr. King was right, so with Mr. Stock's example they would need 2000 square feet of green space. She stated that it should be 2 units to 1 green space. Mr. King stated the building could take up to two thirds of the lot and Ms. Painter agreed. Ms. Painter stated the bigger the living space unit the bigger the lot would have to be. Mr. Zweber stated the ratio was

according to the actual lot size not a minimum lot size and Ms. Painter agreed. There was discussion about the chart in Section 404 and where the confusion started about the unit to green space issue. Mr. Zweber asked why there were no setbacks and road frontage figures for the RM District because he could not figure out how to make it work. Ms. Painter stated she could not recall why those were not added. Mr. Stock added if the ratio was 2 units to 1 green space, how would this not maximize 15% coverage. Ms. Painter stated she did not think this would apply. There was discussion about lot coverage in the RM District. Ms. Painter suggested looking at the minutes when these changes were made to help with this discussion.

Mr. Stock looked through the old minute books to find the minutes with the discussion and public hearings about the RM District. There was discussion about what year this would have happened. They also looked at the Trustee public hearing minutes to help find a time frame for the approval of this change. Ms. Painter stated this was all she could remember about the RM District. Mr. King stated it was the guiding philosophy to make space available to a community. Ms. Painter stated in a Planned Unit Development (PUD) it was but was not sure if there were still PUD's in the Resolution. Mr. King stated PUD's were still in the Resolution but currently there were not any in the Township. Ms. Painter stated that she thought there would be some headed this way now that County water was available. Mr. Zweber asked with the RM District there could be apartments, condominiums, row houses and townhouses. He asked with the row houses and townhouses he was having a hard time picturing the 15% coverage and green space. He stated these things do not seem to go together. Mr. King stated this was not a lot of green space. There was discussion about the maximum lot coverage and maximum height of buildings for different districts.

Mr. Zweber stated they had been going through the Resolution and looking over the intent and purpose for each district. He stated they were looking for places where there was mention of central water and sewer to make sure it was current. Mr. King stated the Commission felt if there was mention of central water and sewer it could lead to annexation. There was discussion about where the County and City water lines were located within the Township. Mr. Stock advised there are yellow and red fire hydrants around Central State University. He stated yellow ones are County fire hydrants and red ones are from the City of Xenia water. Mr. Zweber asked if they were mixed up on the campus. Mr. Stock advised yes, they were both present on campus. He stated in Wilberforce, in the Stover Plat, there was City water and County Sewer. Mr. Stock advised that he would have a map with the water and sewer lines at the next meeting.

Ms. Painter advised that every district was going to have something about central water and sewer because when Amlin Heights was developed all of those were on well and septic. She stated at one point the EPA stepped in and pay for water and sewage lines because the wells were being contaminated. She stated at the time a member of the Commission lived in Amlin Heights and was adamant about if there was to be any development in the Township other than Agriculture there had to be Central Water and Sewer. Mr. Stock advised that he was glad to hear this because he was not sure if this was due to the Ohio Revised Code or personal preference.

Mr. Stock explained to Ms. Painter the discussion from the last meeting and what was planned for tonight's discussion. Mr. Zweber stated that if there were going to be added amenities than he felt the R-1 District started to sound like a PUD. Mr. Zweber stated when they looked at the E District they looked at adding to an existing district. Ms. Painter advised that the lot sizes were put in as averages. Mr. King asked if it were a pre-existing building and then incorporate a new area. Ms. Painter stated that some had a quarter acre and other had a whole acres, so the half acre for the R-1 District was an average. Ms. Painter added that Zoning is not black and white but a huge grey

area because it is mostly how a person interrupts the text. She stated she looks at the expansion of an existing district different than a brand new district. She stated would someone look at the text as straight zoning, so for a R-1 District the lots would have to be a half acre and 150 feet of road frontage or go with the average of a half-acre to give some flexibility without going to a PUD. Mr. Zweber asked if they were to average the lot size then would they average the road frontage as well. Mr. Ferguson asked about the setback from the road and Mr. Stock asked about the 1800 square foot of living space, which the foundation has to be 1000 square feet except in the RM district. Mr. Stock asked so it could be less than that and Ms. Painter stated yes it could. Mr. Zweber stated that it could be wider than it was deep, if it was a half-acre, then it would be 145.2 feet deep with 150 feet of road frontage, if it were square. He stated he was not sure if this was the aspect ratio they were going to for but this would accomplish the road frontage. He added his favorite frontage was in the E District which has the long narrow lots. Mr. Zweber stated the E District has 150 feet of road frontage with 871.2 feet deep, which makes the aspect ratio 5.8 to 1. He asked Ms. Painter if she knew why this was made this way. There was discussion about an area near Krepps Road that was not changed from Agriculture to Estate. Mr. Stock asked if this had gone through the BZA since the lots were less than five acres and had less than 300 feet road frontage. Mr. Stock asked how this happened. Ms. Painter said it was part of a deal. Mr. Stock stated this made these lots illegal and Mr. King stated they were non-compliant. Ms. Painter stated she thought that maybe a variance had been approved because the same thing was done when Renaissance Woods and County Place were done, so she thought the same was done for Woodside Way. There was discussion about the creation of E Districts around the Township. Ms. Painter stated she remembered a B-2 District somewhere all by itself. Mr. Stock stated it was on Bell Road. Ms. Painter said they had that rezoned because he did taxes from his home. Mr. Stock asked if there was Home Occupation at that time and Ms. Painter said no there was not. She added that Home Occupation was a new thing around 2006. She stated that Alan King was one of the original Home Occupations. Mr. King advised that he could not get a mortgage because it is a business in a residential area, so it is not properly zoned. Ms. Painter asked what the banks would do in places where there was no zoning. Everyone stated the banks do what they want in that situation.

Mr. Stock looked through the tapes from the past meetings and asked if anyone wanted to borrow them. No one wanted to borrow them Mr. Zweber stated he thought they had gotten a lot of answers regarding the E and RM Districts. He stated he understood more about the lot sizes. Ms. Painter stated the lot sizes were averages. Mr. Zweber stated he understood the aspect ratios more and understands that they were trying to get as many lots in a district as possible. There was discussion about the properties on Sexton Drive since most of the houses cross of parcel lines. He added that there was one parcel that was empty because it is not large enough to build an 1800 square foot house. Ms. Painter advised that the minimum 1800 square foot house was the largest in the Greene County. There was discussion about the square footage of living space for homes.

Mr. Zweber moved to adjourn, Mr. Ferguson seconded the motion. All voted aye. Meeting adjourned at 7:50 p.m.

ATTEST:

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Alan D. Stock, Zoning Inspector