

## XENIA TOWNSHIP ZONING COMMISSION

### MEETING

September 26, 2017

**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 September 26, 2017 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 6:10 p.m.

Attendees: Jeffrey Zweber, Chair, Alan King, Virgil Ferguson, and Mary Haller, Administrative Assistant.

Mr. Zweber read over the agenda and asked if there were any comments regarding the minutes from the last meeting. Mr. King suggested one change. Mr. Zweber moved to approve the minutes from the August 22, 2017 meeting with one correction. All voted aye.

Mr. Zweber advised they each had a copy of the redline working copy of the Land Use Plan with today's date. He stated that it starts with the Table of Contents and that they had talked about having an executive summary. Mr. Zweber stated that there was an executive summary in the consultant's plan. He stated that it consisted of a map and a description of each chapter. Mr. Zweber suggested titles for each chapter as follows: Chapter One Introduction, Chapter Two Background, Chapter Three Special Planning Areas. There was discussion about the sections in each chapter and that the Special Planning Areas would be the only areas there would change. Mr. Zweber stated that in the Citizen's Plan Section Four was Transportation which he would leave this as a place holder and maybe title it Infrastructure. Mr. King asked if this would be where there would be discussion about where roads or intersections may widen. Mr. Zweber stated that he thinks the plan was going to be about what they want. He stated that he thinks that Section Two would be about what they have currently. Mr. King stated that it might be useful to have a description of which townships that they collaborate with for fire, where EMS goes. Mr. Zweber asked if he would like Chapter Four to be Infrastructure and Services. There was discussion about having roads, police, fire, power, broadband and how useful it would be to have in Chapter Four. Mr. Zweber stated that Chapter Five was titled Growth Management. He stated that this Chapter contains stuff that he feels goes with Background because it has a lot of maps. He stated that in their Chapter One they would put the growth management philosophy which would be slow in the non-special planning areas and growth in the special planning areas, so he feels that they do not need Chapter Five. He advised that the old Chapter Five would merge into the new Chapter Two. Mr. King asked they would making guesses for which areas would grow and which would not. Mr. Zweber stated that he thought they would put something about this in the beginning of the Chapter about Special Planning Areas, and put language about why they picked the areas they did. Mr. King clarified that the overall philosophy would be for slow to no growth in the rural areas and the growth concentrated in the Special Planning Areas. Mr. Zweber agreed that this was how

he was seeing the plan. Mr. Zweber stated that he thought the old Chapter Six would be put into Chapters One and Two. He stated that these contained Farmland Preservation and subdivisions, agribusinesses. Mr. King asked about the 5-acre dilemma because this had been on his mind and whether they were arbitrary. Mr. Zweber stated that he thought they needed the old Chapter Seven, which would become the new Chapter Five Implementation. He suggested maybe Implementation and Maintenance for a title of the new Chapter Five. Mr. Zweber asked where they should put the plan for The Plan, and stated that he expected this to go into Chapter One. There was discussion about what was completed so far with the Land Use Plan.

Mr. Zweber stated that Section 1.5 was mostly background and executive summary. He advised that the third paragraph was all about runoff. There was discussion about runoff and storm systems and how to deal with these. Mr. Zweber stated that he thinks Section 1.5 is the beginning of the Executive Summary. He stated that it would need a little something more to make it an Executive Summary. Mr. King asked where the Executive Summary was currently. Mr. Zweber advised that it was Section Zero, and stated that it was after the Table of Contents in the consultant's plan. Mr. King asked if they would be able to get current census data for the new Land Use Plan. Mr. Zweber stated that he was sure that they could get that data from Regional Planning.

Mr. Zweber suggested that Section 1.8 be about the Ground Rules and Philosophy of the Plan and stated that he liked the first sentence from the working copy. He stated that the first decision was whether there would be slow growth or no growth. Mr. Ferguson stated that in the last sentence it mentions land use and growth management analysis. Mr. King stated that the first goal could be to preserve existing farm land and the character of the Township and show this as a high or top priority. He stated that he thought that the rural agriculture part of the Township should be preserved above all else with the exception of the special planning areas. There was discussion about the planning areas and how to tackle them in the Plan. There was discussion about having public meetings for each of the areas to collect input from the residents. There was discussion about different areas to be chosen as Special Planning areas and how to possibly organize the public hearings for these areas. Mr. King stated that he was suspecting that the concept of mixed use gets brought up in some of the meetings. He stated that there was quite a bit of mixed use in the Township that was not sanctioned. Mr. King suggested that this may be something for the special planning areas and deal with mixed use in these areas.

Mr. Zweber stated that this was what they were trying to get to the Trustees and show how they were doing. He stated that what he thinks they have a series of public hearings would be held to garner public input on the definition of the special planning areas. Mr. King agreed and stated that they could use the public input on each area. Mr. Zweber stated that once they get the special planning area defined then they would have to have decide how to tackle each area. There was discussion about how to tackle the public hearings and the citizen input.

Mr. Zweber asked if anyone thought they needed to keep the Plan Interpretation section. Mr. King stated that he did not think so, and that he thought it was all obvious stuff. Mr. Zweber stated that if the change was consistent with the plan it was supposed to make it easier to say yes and harder to say no when someone applied for zoning. If things are inconsistent with the plan then it would be easier to no and harder to say yes. Mr. King asked if this would be just of the Board of Zoning Appeals. Mr. Zweber stated it would be for any type of zoning application. Mr. Zweber stated that the plan was for guidance and he meant guide the decision making. Mr. Zweber stated that the plan would serve as guidance for Township staff, Zoning Commission, Board of Zoning Appeals and

Trustees when considering future changes to zoning. He stated that this would be helpful when a property owner requests a land use change. Mr. Ferguson stated that the land use plan should be a guide and they must comply with it. He stated that this makes it sound like the Land Use Plan was it, and they couldn't deviate from it. Mr. Ferguson suggested striking the sentence that states this and Mr. Zweber stated that he would like to strike the rest of the page. Mr. Zweber stated that he thought this would cover Section One and thought that next month they would be ready to send Section One to the Trustees.

Mr. Zweber stated that Section Two with the as is, they should work on the for the majority of the meetings. He stated that Section Two would be the Demographics, Urban Service Boundary, and the existing map. Mr. Zweber stated that he would like to know where the non-conforming uses are in the Township. Mr. King stated that this would be a large task, and Mr. Zweber agreed. Mr. Zweber stated that there are surveys and pictures of existing uses, which he stated were fine.

There was discussion about the other sections and what was contained in them. Mr. Zweber stated that this information could help them pick the special planning areas. He stated that since they are at the end of Section One, they needed to start working on the background that will go into Section Two. Mr. Zweber advised that they should look at planning assumptions, like how far do they think Beavercreek may go, what do they think Wilberforce was going to do, and what do they think Xenia was going to do. Mr. Ferguson stated that Xenia was going to try to take over Wilberforce. There was discussion about the Wilberforce area and the possible annexation in that area.

Mr. King stated that he had made an observation regarding fences and hedges as he was driving around the Township. He stated that he thought this was a mess, he stated that there are fences of all heights and descriptions, in front yards, close and far away from the houses. He asked how they should define a hedge, was it a couple of bushes, one huge bush, or a row of trees. Mr. King stated that they were more than two feet tall. There was discussion about the two-foot height requirement for hedges. Mr. King state that he was leaning toward striking this whole section. Mr. Zweber asked if they should allow fences in the right-of-way. Everyone agreed this should not be allowed. There was discussion about fences being structures because they were permanently attached to the ground. There was discussion about different types of temporary fences and their uses.

Mr. Zweber stated that they would need to look at the setbacks for fences and hedges. He stated that he thought the side yard setback was zero for fences but not for buildings. Mr. Zweber read the setback requirements for signs and there was discussion if this could be used for fences. There was discussion about having different heights for different districts. Mr. Zweber asked if they should have different fences for front and rear yards. Mr. King stated that he did not see the purpose of having different requirements for front, rear or side yards. Mr. Zweber stated that a two-foot fence in the front yard does not hold too much in or keep anything out. Mr. King stated that he did not think that front yards needed to be different from side yards or back yards. Mr. Zweber asked if he meant to be able to fence a yard up to the right-of-way line. Mr. King agreed that was what he meant. Mr. Ferguson agreed and stated that as long as it did not disrupt the visibility. There was discussion about setbacks and lot lines and how they applied to fences. Mr. King stated that they would need to put something about easements or right-of-way in the definition. Mr. Zweber agreed and stated that with signs it was stated that signs were prohibited in the right-of-way. There was discussion about prohibiting fences in the right-of-way and the wording for the section.

Mr. Zweber stated that they needed to look at different heights for different districts. Mr. King advised that was what they had done when they worked on signs. Mr. Zweber stated that the grouping on page 93 of the resolution was good and could be used for fences. Mr. King asked if they should have a minimum and maximum height or just a maximum. Mr. Zweber stated that he was thinking of just having a maximum. Mr. Zweber suggested that R-1 and E districts should be the most restrictive. Mr. King asked if they should deal with fences and screening separately. Mr. Zweber stated that they needed to be sure there was consistency across the board. Mr. Zweber stated that for R-1 and E there should be a six-foot maximum, for A, R-MH, and R-M should have an eight-foot maximum. There was discussion about the IG district and fences for it. Mr. King stated that if someone wanted to put a taller fence than allowed, then that person would have to apply for a variance through the Board of Zoning Appeals. Mr. Zweber stated that the other districts should have a twelve-foot height maximum. There was discussion about fences in the business districts. There was discussion about copying the wording from signs to fences and what changes needed to be made to make it consistent across the different districts. There was discussion whether to use the wording fence, wall or hedge to help with consistency. There was discussion whether to put the maximum height requirements into a table or a list.

There was discussion about whether screening should have the same requirements as fences. Mr. Ferguson asked about screening in the right-of-way. Mr. King suggested that screening shall comply with setbacks. Mr. Zweber stated that this seemed to make it consistent with fences. Mr. Zweber stated that screening shall be a depth of 15 feet of dense plantings. Mr. Ferguson stated that was a lot of plantings to be 15 feet deep. Mr. Zweber stated that if the plantings were thick enough to absorb or reflect noise then it would be good. Mr. Zweber stated that there were three reasons for screening and stated they were, I don't want to hear it, see it and don't want stuff blowing around. Mr. King asked if someone would have to submit an application before putting in any screening. Mr. Zweber stated that he thought so and that this would be used for places where there was a residential use next to a nonresidential use. Mr. King stated that he thought the screening for the mining district was different. Mr. Zweber agreed and stated that it had its own set of requirements. Mr. King asked if a chain link fence with the louvers in it Mr. Zweber stated that he did not think that would be considered a solidly constructed decorative fence. Mr. Zweber questioned about having plantings next to the solidly constructed wall and why this would be a requirement. There was discussion about the decorative wall compared to dense plantings.

Mr. Ferguson asked if they should change any of the wording for fences around pools. He stated that currently it states it cannot be less than 5 feet. Mr. Zweber stated that 6-foot fences are allowed in all districts. Mr. King stated that they could change it to state fences must be a minimum of 5 feet around a pool.

Mr. King moved to adjourn, Mr. Ferguson seconded the motion. All voted aye. Meeting adjourned at 8:25 p.m.

ATTEST:

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Alan D. Stock Zoning Inspector