

XENIA TOWNSHIP ZONING COMMISSION
MEETING

January 22, 2019

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 January 22, 2019 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 6:15 p.m.

Attendees: Jeffrey Zweber, Chair, Virgil Ferguson, Kent Harbison, Alan King, and Alan Stock

Mr. Zweber asked if everyone had a chance to read the minutes from the last meeting. He stated he found one needed correction and explained it. Mr. Zweber moved to approve the minutes from the December 18, 2018 meeting. Mr. Ferguson seconded the motion. All voted aye, MOTION PASSED.

Mr. Zweber asked if there was any needed discussion about the topics for the Joint Trustee and Zoning Boards meeting that is scheduled for next week. There was discussion about the topics for this meeting. Everyone agreed the topics on the agenda were good for discussion at this time.

Mr. Zweber stated everyone had a copy of the working copy which had the additions from last month's meeting. Mr. King stated he noticed that in the RM and IG districts there was similar language in each. Mr. Zweber stated they had done some copy and pasting to make things consistent. There was discussion about this language and the discussion started with a review of the working copy as it was so far. Mr. King asked if they were going to include the district and lot sizes of the districts in the definitions of the other districts or have it as a section within the district. Mr. Zweber stated it did not need to be in both places. Mr. Stock stated from his perspective it would be an easy thing to fix and he refers to the chart more than the individual district sections. Mr. Zweber stated he would like to have the information in the Intent and Purpose and in the table. He stated they could work on the table last so that the information can be taken for the Intent and Purpose of each district.

Mr. Zweber stated he would like to work on the M-2 District which excluding mining is the heaviest use district. He stated this is the only district that allows significant external effects. There was discussion about the external effects. Mr. Zweber stated he wanted to work on the language dealing arterial street within the district. Mr. King asked if there was a definition for the streets. Mr. Stock asked if they were going to go back and work on the water and sewer access to use similar language in the other districts. There was discussion about the removal of the water and sewer language from the other districts. Mr. Zweber stated if someone came in and requested a rezoning of a parcel then it would need to be asked if there was adequate water and sewer available for the new district. He stated one thing would be whether the lot was considered a buildable lot. There was discussion about what a buildable lot meant. Mr. King stated this should be something on a check list for applicants to know it was part of the process. He asked would a potential applicant be able to go to the Health Department to find out if a certain parcel is a buildable lot.

Mr. Stock stated the intention was implied more than stated and Mr. Zweber stated he was trying to fix that and how to do it with a minimal amount of words. Mr. Zweber went to the first sentence and read, “this district provides for” and stated this seems like this was stating what should go in the district. There was discussion about this sentence and the meaning of the word lot within it. Mr. King stated if someone had a building with no water or sewer then would that lot be buildable. Mr. Zweber asked what type of business or building. Mr. King stated it could be a large pole building to store snowmobiles or the like and no office space. Mr. Stock stated before this could get occupancy this would have to go through Greene County Building Regulations to determine whether you needed water and sewer for the building. Mr. King stated so it was determined by the intended use. There was discussion about the minimum lot size and road frontage for the M-1 District. Mr. Zweber stated he wanted to discuss the adjacent lots that could be added to the existing district. He stated if there was a M-2 district and someone wanted to add a lot to this existing district, then the question would be if they had 50 acres of M-2 can they add some M-1 next to without the 20 acre requirement for a M-1 district. There was discussion about whether the adjacent lot had to be heavy or light industrial. Mr. Zweber stated this was structured as increasingly intensive uses from E the least intensive to M-2 being the most intensive use then all the stuff in between. Mr. King stated M-3 would be the most intensive and Mr. Zweber agreed mining was an exception to this. Mr. Zweber stated if he had a district of higher intensity use, could he add a lower intensity use next to it. There was discussion about the Dollar General that wanted to build along US 68 South which had a B-3 and B-2 use next to each other. Mr. Zweber stated should they allow something into a district if it does not have enough external effects to be considered in a particular district. Mr. Ferguson stated if they could put a B-1 or B-2 in a B-3 under conditional uses then why can’t someone put a M-1 in a M-2. He stated the M-1 may not be as loud and sticky, if were a small lot then he did not see the difference. Mr. Zweber stated that was the general question, were they going to explicitly allow lower intensity uses in the particular districts and this would get interesting in the residential districts.

Mr. Stock stated he thought they had district for specific reasons and going from lower to higher purposes within the same reason then that was consistent. When they want mixed uses to have purposeful districts then go by density instead of by uses. He stated he did not think they could not both density and uses but could uses density within uses. Mr. Zweber stated that brings them back to the differences between M and B districts, which was not really explicitly written. He stated they would not expect to have retail establishments in a M-1 or M-2. There was discussion about the definitions associated with these districts and whether they were trying to separate retail from manufacturing. Mr. King stated he thought it would be ok, philosophically speaking, to take a 5 acre minimum when adjacent to this district. Mr. Zweber stated so they have this big chunk of contiguous land and many of them are the more intense use and just a few or the lighter use. There was discussion of how to avoid this becoming spot zoning.

Mr. Zweber stated the question was how big of a spot would it take that it was no longer considered a spot. He stated a change could be, “adjacent lots with a minimum size of one acre and 200 feet of shared lot line or road frontage may be added to an existing light or heavy industrial district.” Mr. Stock asked why he was including heavy in the light district. Mr. Zweber explained the text for M-1, he stated he thought an M-1 lot could be added either to an existing M-1 or M-2 district. Mr. Stock asked where was this being added from and how. Mr. Zweber stated it did not matter, this was just about adding an M-1 to an existing district. He stated he would like to be able to add a M-1 lot to an existing M-1 or M-2 district. Mr. King asked if they had a definition for adjacent lot and what the definition included. Mr. Zweber stated he thought the definition was a shared lot line or road frontage which could mean across the street or down the block. Mr. King thanked him for the refresh on the definition. Mr. Stock asked for an explanation of what the goal was for the

M districts. Mr. Zweber stated he could add an M-1 district to other M-1, but what he wants to be able to do is add the same legal lot next a bunch of M-2. Mr. Stock stated without touching an M-1 District. Mr. Zweber stated that was correct it would be touching an M-2. Mr. Stock stated that could not be done and Mr. Zweber stated that was what they wanted to do. Mr. Stock stated they had defined a lot in every district and had defined what could be added to that by the minimum lot size. There was discussion about how the this could or could not work for the M districts so that it would not be spot zoning. Mr. Stock asked for clarification about adding an adjacent lot as they have the district size and only when they add adjacent to, then they want it to be a less dense use. Mr. Zweber stated that was exactly what he was trying to do. Mr. Stock stated everything that can be done in a M-1 can be done in a M-2 as well. Mr. Zweber stated he would like to be able to add a lot of smaller intensity to a parcel of larger intensity and keep the lower intensity use.

Mr. King moved to adjourn, Mr. Zweber seconded the motion. All voted aye. Meeting adjourned at 9:00 p.m.

ATTEST:

Alan D. Stock, Zoning Inspector