

XENIA TOWNSHIP ZONING COMMISSION
MEETING

February 26, 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 February 26, 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 6:25 p.m.

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

Mr. Zweber asked if everyone had a chance to read the minutes from the last meeting. There was discussion about needed corrections Mr. Zweber moved to approve the minutes with noted changes from the January 22, 2019 meeting. Mr. Harbison seconded the motion. All voted aye, MOTION PASSED.

Mr. Zweber stated asked about the Joint Meeting minutes from January 29, 2019. Mr. King mentioned one correction. Mr. Zweber moved to approve the minutes with noted correction from January 29, 2019. Mr. Harbison seconded the motion. All voted aye, MOTION PASSED.

Mr. Zweber stated he would not be available for the meeting next month and asked if everyone would like to change the date or leave it as is. Mr. Stock advised he would not be available for March 26 either. There was discussion about moving the meeting to March 19, 2019. Mr. Zweber moved to change the next meeting date to March 19, 2019. Mr. Harbison seconded the motion. All voted aye, MOTION PASSED.

Mr. Zweber stated he would like to start the discussion tonight where they had left off during the last meeting. He stated he thought they were getting into a discussion of districts versus lots. Mr. King stated they were talking about having different sized lots within different districts but the concept was for the districts to get mixed together or adjacent to each other. Mr. Zweber stated that summed it up so far and he stated this may be an area where they would need to contact Regional Planning to get some additional advice. He stated the idea they had been kicking around, for example, take a residential district with residential stuff and then inside that district it could have all different types of residential lots, like some multi-family lots, single family lots and some estate lots. He stated similar with a business district there could be some B-2 lots with some B-3 lots and some B-1 lots, and similar ideas for the Industrial Districts. He stated his thoughts were to have a Residential District and then have a lot description for E and RM, and then stated that residential lots had to go in the Residential Districts. He stated then this concepts would be for all the district, like business and industrial. He stated then there could be different lots within each district. Mr. King stated if they go to the different uses having different sizes and frontage requirements so there could be a happy medium between the lots within each district. Mr. King asked how a B-1 and a B-2 business could be side by side within one district. There was discussion

about how this could work in the Township. Mr. Zweber stated he felt the numbers for the different numbers associated with the districts signified level of intensity. Mr. Stock added that they also dealt with the level of nuisance. There was discussion about the types of businesses that could be next to each other in a business district. Mr. King stated some of the small businesses should be on next to residential areas because they make sense and may not be considered spot zoning. There was discussion about the old farm and fleet building and the different businesses within the building. Mr. King asked whether an incoming business would have to apply for a rezone or allow a business to build a less intrusive business if it were zoned B-3. Mr. Zweber stated he thought they would have to apply for something no matter the situation. He stated if there was a B-3 five acre parcel and divide it into smaller lots then rezone one parcel into multiple B-2 lots, then they would have a map with B-3 and a section of B-2 lots, then they would get to this anyway. Mr. King stated so they can't put B-2 in the middle of a B-3. There was discussion about whether this rezoning would be possible. Mr. Stock stated one business the division of businesses is only inside the building so it is compliant with the current code. He stated another business has zoning to store cars, but this business is also renting space for other uses that are non-compliant with the current zoning. Mr. Zweber asked how many business can be run on one lot, so what is the difference between having all the businesses in one building versus separate buildings in the same area. There was discussion about different types of allowable businesses and uses in the B-3 district. Mr. Zweber stated when he thinks B-3 he sees Wal-Mart, Farm and Fleet. Mr. King stated they were in the land use business so to tell someone the structure may fall down was not the job of this commission. He stated they wasn't to be sure the structure if back off the parcel line. Mr. King asked if they could just make a Business District, determine a lot size and if a large business like Wal-Mart wanted to move in then they had to buy enough lots to make it possible. There was discussion about yard requirements for the districts. Mr. Zweber stated currently there is a spot in the Township where there is a B-3 district next an Agricultural District and if he was thinking ahead for development, there was the farm land preservation language but he does not think that means they would never rezone from Agricultural to something else. Mr. King stated he thought the farm land preservation was for it to make it possible for highway frontage to become businesses and the best types usage for the land. Mr. Zweber stated the picture so far was that the default map started as all Agricultural and then other uses were put in. Mr. Zweber stated if they were to take Hawkins road and extend it from Fairground Road it would end near Brush Row Road, then take Brush Row/Stevenson corner and connect it to Bickett Road and US 35. This would create a Northern by-pass around the City of Xenia. He stated most of this area has access to water. He stated this is a piece of the Township that could control development through the Township. There was discussion about where there were water lines in this area. Mr. Zweber stated the Township has a lot of agricultural land and this is where development comes then there will be requests for rezoning in the future.

Mr. Zweber stated if someone wanted to build around the old Farm and Fleet lot, they would know what other things are around them. He stated but if there is an R-1 District surrounded by Agricultural, and the Ag lot wanted to rezone to something else then the text requires screening and other setbacks. There was discussion about the types of structures and businesses that could be placed next to Residential lots if a rezoning took place. Mr. Harbison stated he was not sure how they would enforce the requirements as there are rezones. Mr. Stock stated if the goal is to have a small zoning instrument then they would have less control of everything, so where could the balance be found.

Mr. Zweber stated he had not gotten to the number of different lot types but what he wants to do is to make it easier to change intensity, divide and combine within a zone. He stated his thoughts were if someone wanted to put in a duplex or an apartment within a residential zone, like Orchard Heights, then it should be able to be done. He stated he was looking at intensity of use on a lot by lot basis inside a district. There was discussion about the rezoning of lots in different districts. Mr. Harbison asked what if someone wanted to put a M-2 next to a Residential district. Mr. Zweber stated then they would be able to as long as the parcel size and setback requirements were followed. He stated this is where they would need to be sure there was some kind of buffer zone within the text to help with the nuisances of the more intense use. He stated yard requirements are where they need to have this buffer placed in the text. There was discussion about lot coverage including accessory structures and stormwater. Mr. Zweber asked if rewriting all of this is due to a different philosophy from the last meeting. There was discussion about the minimum size of each district, and how to make adjustments to the table in Section 404. Mr. King stated he remembers reading somewhere that spot zoning is a bad thing and he thinks it is to keep a high intensity, nuisance type of business from being next to a residential lot. There was discussion about how lots were considered contiguous so that they were not considered spot zoning. Mr. Zweber stated the B-2 district bothered him because of the minimum lot size. He stated it was smaller than what the text requires a lot size for a single family home and that bothered him. He stated he would like to see all the district on the table and then work on this next time. There was discussion about the minimum lots sizes and how they could be changed to not waste good farm land. Mr. Zweber stated they would have the revised table at the next meeting and they would be able to discuss how they want to make changes to it.

Mr. Zweber moved to adjourn, Mr. King seconded the motion. All voted aye. Meeting adjourned at 8:10 p.m.

ATTEST:

Alan D. Stock, Zoning Inspector