

## XENIA TOWNSHIP ZONING COMMISSION

### MEETING

November 18, 2014

**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 November 18, 2014 at 6:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385 with the following members present:

Virgil Ferguson, Kent Harbison, Alan King, Willie Washington, alternate Donna Randall and Alan Stock, Zoning Inspector/Clerk.

Chairman Alan King called the meeting to order at 6:12 p.m.

Alan King made a motion to seat Donna Randall as there was an empty seat, seconded by Virgil Ferguson. All voted aye, motion passed.

A motion was made by Willie Washington to approve the October 28, 2014 Zoning Commission Meeting and Public Hearing minutes, seconded by Donna Randall. All voted aye. Minutes were approved.

Mr. Stock said the kennel text amendments started when someone wanted to use a five (5) acre agricultural piece of land for a rescue (animal husbandry), but Township zoning text said it had to be on twenty-five (25) acres. He contacted Stephen Anderson and was given information showing a change was needed in the Township text to be consistent with the ORC. Mr. Stock pointed out changes they had made so far: Page 13--the definition of Kennel was removed; page 21--the definitions for Specialized Animal Raising and Specialized Animal Care were removed; page 28--a typographical error was corrected to 400.2; page 28--400.2 number 1 the sentence was shortened to "Agricultural purposes."; page 28--400.2 number 4 was deleted; Churches and parish houses moved to number 4; page 29--400.4 number 8 was deleted; listed items thereafter were renumbered.

Jeffrey Zweber joined the meeting at this time.

Mr. Stock said they typically like to get input from Greene County Regional Planning, but they are without a director at this time. He has spoken to several people about this. He said the Commission does not have to wait and can continue forward.

Mr. Stock expressed his appreciation for the Zoning Commission members who attended the Trustees' Public Hearing for text amendments and thanked them for their answers to the Trustees. He said there were some suggested questions the BZA might ask of Rural Entertainment Conditional Applicants, such as 1) site plan; 2) external effects; 3) hours of operation; 4) parking on street; 5) Fire and EMS accessibility. He said they had talked about prohibiting balloon launches. Mr. King said he is not sure this is covered in the ORC, legal or illegal, an issue for zoning, or just suggested. Mr. Stock said it could be dealt with administratively. Mr. King said the site plan would take care of how close things are to

neighbors' property and could help show accessibility and the parking situation. He said the rules for the hours of operation are covered in the text. He said external effects are related to a site plan but it is probably good to have that as a specific, such as music. Mr. Stock asked to bring the revised draft application forms for the Commission to review at the next meeting. Mr. Zweber reiterated the plan for being informed about what the conditional use will entail. Mr. King said when he went to the Trustees' Public Hearing the single most vociferous person speaking about this asked "once you have done this and it is next to my house, what is to stop them from having parties all night long with people being drunk, with people being noisy, is this permanent, will it go with the land forever and can the Township take it back." Mr. King said addressing this upfront with the application will probably make it easier if they are violating their specified requested uses. Mr. Stock asked if security control, public safety and attractive nuisance are things the Commission would find important in the application. Noise, lights and dust could be part of it too. He said presently they only have one application for the BZA and it does not mention if it is for an area use or a variance use. Now when it is an area use they have to answer the Duncan Standards from the Ohio Supreme Court. Mr. Stock wants to get all the applications pretty standard, but very specific for what it does.

Mr. Zweber said he thinks they could delete number 11 under 400.4 on page 29 as it would be controlled by the EPA. Mr. Stock agreed, citing a place in Spring Valley Township where waste and feed are dumped and they have to get EPA permits. Mr. Stock said they need to do make this change in the Public Hearing.

Mr. King began discussion of sign text. At one time they were stuck in adding sign verbiage to other zoning districts. Mr. Stock said they will start putting dates on text being worked on. Mr. King said it seems they have the "electronic signs" text fine-tuned. They had some definitions about where signs could be placed to keep from being dangerous. They removed some language that said the sign had to follow the same setback as the building because they determined signs have to be closer to the road to be effective. Political sign text was simplified.

The Zoning Commission recessed the meeting at 7:04 p.m. for the Public Hearing.  
The meeting reconvened at 7:36 p.m.

According to Mr. Stock's notes on page 25, Temporary Sign, the Commission had stricken the "s" on "organizations" and talked about striking the sentence "such signs are to be removed within ten (10) days after conclusion of the campaign, drive or event." Section 517.1.10 has this sentence so there is no need for it in the definitions section.

In Section 517.1.8 there was discussion about eliminating points (a) and (b). Mr. King said right now billboards are not permitted and the Zoning Commission is looking at allowing them with restrictions. Mr. Zweber said what the Fairgrounds was doing on their fence was all right with them. If billboards are allowed, it would eliminate 517.1.8.c. The Commission wants agricultural exceptions. There are a few billboards in the Township that have been grandfathered in. Mr. Zweber suggested limiting the number of large signs and how close together on parcels or adjacent parcels owned by the same owner. Mr. Harbison said Cemex has a lot of road frontage along SR 235 and think of how many signs they could put on their properties. Mr. Zweber was thinking of signs being a minimum of ¼ mile apart.

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At the next meeting the Zoning Commission will talk more about eliminating 517.1.8. They will talk again about limiting the number of signs and some kind of separation between them. Also they will look into a definition of a sign face.

The next meeting will be December 30 at 6:00 p.m.

Mr. Ferguson made a motion to adjourn the meeting. Mr. Harbison seconded. All voted in favor. Meeting adjourned at 8:18 p.m.

ATTEST:

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Alan D. Stock, Zoning Clerk