

XENIA TOWNSHIP ZONING COMMISSION
MEETING

March 22, 2016

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 March 22, 2016 at 6:00 p.m. at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Chairman Jeffrey Zweber called the meeting to order at 6:35 p.m.

Roll Call: Virgil Ferguson, Kent Harbison, Alan King, Donna Randall, Jeffrey Zweber and Alan Stock.

Alan King made a motion to approve the minutes from the February 23, 2016 meeting as submitted. Mr. Ferguson seconded the motion. All voted aye. Minutes were approved.

Mr. Zweber asked if there is anyone who inspects towers to make sure they do not fall down. Mr. Stock said if electrical is attached it goes to Greene County Building Regulations for their inspection. Mr. Stock said if no electrical, it depends on what the tower is to be used for and whether Greene County has a code for it. Mr. Zweber asked if there was a need for a building permit if a house burned down and a new house would be built. Mr. Stock asked if the Commission would like to invite Al Kuzma to a meeting to explain about building permits. The Commission decided they would like to hear from Mr. Kuzma.

tower is not mentioned. Mr. Zweber said points a and b talk about towers in residential and non-residential that are higher than building height limits. Mr. Stock talked about fences and their height and placement. He said a flagpole is a structure. Mr. Zweber said if it doesn't have an exception, like fences, signs and swimming pools, it has to comply with yard setbacks. The Commission added the word **front** to new point b so it would read “. . . 90 feet when the required **front**, side and rear yards are each increased . . .” Mr. Zweber said a bungee jumping tower can be placed wherever you put a building unless it is taller than a building. Mr. King said in the future he would like the Commission to look at the 2 feet height of fences in a front yard.

The Commission looked at Section 510, point #3, new point c dealing with the construction of towers. They questioned whether Building Regulations requires a permit for towers. The first sentence will remain yellow until receiving this answer. The highlight will be taken off the second and third sentences and they will remain. Mr. Ferguson asked about the second sentence that ends in **zone**—it should be **district**. Section 510.3 new point d is the notice stating the section does not apply to wireless communication towers and amateur radio towers. The Commission discussed calculating height of towers. Mrs. Randall asked if windmills would be considered under Section 510.1 as “necessary mechanical appurtenances”. Mr. Zweber answered if attached to a building yes, but if freestanding it is a tower. Groundwork is being laid for upcoming discussions about alternative forms of energy. Mr. Harbison pointed out the problem with trying to measure the length of blades on windmills. Mr. Stock reported about residents who are using alternative forms of energy.

The paragraph under 518.5 General Regulations can be deleted.

Mr. Zweber suggested that **Fencing** become 518.2 if they keep the text. He did not think the design would need to be approved by the BZA. He said there are requirements for fences around pools. The question is whether a freestanding tower is an attractive nuisance that requires fencing for safety or otherwise. Mr. Stock said the wireless telecommunication towers have electricity running up and down to generate them, so safety is the factor. Towers in historical overlay districts can be regulated. He commended the Zoning Commission for going through the text in a consistent manner. Mr. King said they probably don't need fencing under their Tower section. Mr. Stock said he will verify with Stephanie Hayden about the use of the word "towers" generically. Mr. Zweber said there are rules in the Township about towers and the Commission wants the rules to apply to the utmost when not preempted.

Mr. Stock reported on property at the corner of US 42 and Wilberforce Switch Rd. being purchased under land grant by Central State University. They want to rezone the property and erect a two-story research facility.

The next meeting will be March 22 at 6:00 p.m.

Mr. King made a motion to adjourn, seconded by Mr. Ferguson. All voted aye. Meeting adjourned at 8:37 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk