

XENIA TOWNSHIP ZONING COMMISSION
PUBLIC HEARING
TEXT CHANGES TO SECTIONS 510, 518 & 200,
TOWERS, EXEMPTIONS TO BUILDING HEIGHT, AND DEFINITIONS

December 20, 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 continued public hearing on December 20, 2016 at 7:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH 45385.

Chairman Jeffrey Zweber called the Public Hearing to order at 7:00 p.m.

Roll Call: Virgil Ferguson, Alan King, Jeffrey Zweber, Donna Randall and Alan Stock, Kent Harbison, absent. No guests are in attendance.

Jeffrey Zweber asked Alan Stock to go over the Ohio Revised Code (ORC) requirements for this hearing and whether these have been met.

Alan Stock went over the Exhibits for this hearing and discussed each of them, and after checking all three exhibits he stated that he agrees that all verifications have been met. He also stated that he had Stephanie Hayden, Greene County Assistant Prosecutor check over the exhibits and she agreed everything was in order. Therefore, the ORC has been met.

Mr. Zweber asked about the recommendations of the Greene County Regional Planning, in the interest of maintaining progress he read the discussion and recommendations. Paragraphs F and G are fine. Paragraph F is the proposed text amendments that simplify the regulations for Cell Towers but eliminating about eight pages of specific text and regulating them under Tower and Height Exemptions. The regulations can only be applied within residential zoning districts and only after Xenia Township gives notice that a property owner or Township Trustee wants the Tower to be subject to zoning. Xenia Township Zoning Resolution does not list Cell Towers as permitted accessory or conditional use in any of the residential zoning districts thus making it unclear whether they would be allowed as a principal or accessory use on a property within a residential zoning district. In addition, certain parts of Sections 510 and 518 have duplicate language that could be eliminated by referencing one section in the other; the definition salvage from the existing telecommunications tower section as opposed to place in Section 200 which contains the definition. There is a need that contains the recommendation of Regional Planning, based on the above findings and discussion, it is recommended that the Xenia Township Zoning Commission consider the following; (1) eliminating the duplicate language in Sections 510 and 518 by referencing one section in the other, (2) determine whether Cell Towers are permitted as a principal, accessory or conditional use within the residential zoning districts, (3) Consider whether screening landscaping, outdoor storage and other similar type provisions should be left in the regulations for residential zoning districts.

Mr. Zweber having presented the proposed text changes, asked for comments in favor or against these changes. He recognized there was no public in attendance. At that time he closed the public comments section at 7:07 p.m. Alan King seconded. All voted Aye to close the public section of the hearing.

Mr. Zweber moved that the amendments from Regional Planning be adopted as they were sent, specifically text here replaces Section 518 in its entirety, and Section 510 in its entirety and the five definitions with the added Section 200 in the appropriate alphabetical order amended or replace as needed. Virgil Ferguson seconded the motion.

Mr. Stock asked that the current red line be entered as Exhibit 4 into the record. It was agreed that should be done.

Mr. Zweber advised that he would like to discuss the recommendation made by Regional Planning for clarity. The first recommendation was to eliminate the duplication of language and have one section referencing the other. He is still of the opinion that leaving it separate gives it better regulatory structure for the future. Virgil Ferguson agreed and stated that they should be kept the way they are as presented. Donna Randall stated that she thought they had the language in good order.

Mr. Zweber stated that the second comment was concerning listing cell towers as permitted accessory or conditional use within residential zoning districts. He was of the opinion that those Sections were left alone, because no definitions were changed in regards to principal or conditional use for anything when these amendment were originally written. Therefore this will still be handled as it was before these text changes were made. Everyone was in agreement.

Mr. Zweber stated that the third was regarding landscaping, outdoor storage, and other similar provisions for residential zoning districts are covered in general in other parts of the Zoning Resolution and applied to things other than towers. If issues come up with this issue he suggested they be handled case by case in the future.

Mr. Zweber moved to approve the text changes as presented. Virgil Ferguson seconded the motion. ROLL CALL: Mrs. Randall – aye, Mr. Fergusson – aye, Mr. King – aye, Mr. Zweber - aye. Motion passed by roll call 4-0.

Mr. Zweber made a motion to adjourn, seconded by Mr. Ferguson. ROLL CALL: Mrs. Randall – aye, Mr. Fergusson – aye, Mr. King – aye, Mr. Zweber - aye. Motion passed by roll call 4-0. Meeting adjourned at 7:14 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk