

XENIA TOWNSHIP ZONING COMMISSION

PUBLIC HEARING

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 Public Hearing on November 18 at 7:00 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, Jeffrey Zweber and alternate Donna Randall. Also present was Alan Stock, Zoning Inspector/Clerk.

Chairman Alan King called the Public Hearing to order at 7:05 p.m. The purpose of the Public Hearing was to consider the proposed Kennel Text Amendments, Section 201 Definitions and Section 400 Ag District. The Commission had previously seated Donna Randall and Mr. King said they would vote with six at this hearing.

Mr. Stock said notice of the public hearing was published in the November 6, 2014 Xenia Gazette and on the Xenia Township website. He said in the absence of Stephen Anderson, Director of Greene County Regional Planning, he has not received a recommendation from them and does not expect one in the near future until it is determined what will become of the that department.

Mr. Stock said in the earlier meeting the Zoning Commission voted for the following changes to the text:

- Article II Section 201 Definitions, page 13, the term Kennel and its definition would be stricken.
- Article II Section 201 Definitions, page 21, the terms Specialized Animal Raising and Specialized Animal Care and their definitions would be stricken.
- Article IV Section 400 A-Agricultural District, 400.2 Permitted Principal Uses, page 28, number 1-Agricultural purposes with the rest of the sentence stricken.
- Article IV Section 400 A-Agricultural District, 400.2 Permitted Principal Uses, page 28, number 4-Specialized Animal Raising would be stricken.
- Churches and parish houses would become number 4.
- Article IV Section 400 A-Agricultural District, 400.4 Conditional Uses, page 29, number 8 would be stricken.
- Commercial Recreational Facilities would become number 8.
- Following numbers would be changed.

There were no members of the public present at the Public Hearing.

Mr. Stock said for clarification the current Xenia Township Zoning Resolution is in conflict with the ORC and also the Ohio Attorney General's opinions.

Mr. King asked for any deliberation. Jeffrey Zweber would like to strike out Article IV Section 400 A-Agricultural District, 400.4.8 Conditional Uses, page 29, number 11 Feed lots as defined in Section 201, however, no feed lot shall be approved by the Board of Zoning Appeals on parcels less than twenty acres. He would also like to strike out the definition of Feed Lot and its definition in Article II Section 201 Definitions, page 10.

Mr. King said they do have power to regulate on agricultural property less than five (5) acres. He does not want to see a feed lot on a two (2) acre lot. Mr. Zweber said this change deletes the conditional use of feed lot in A District—it is not a permitted use or conditional use in any other district. On lots bigger than five (5) acres, feed lots cannot be restricted. Mr. King questioned whether “Feed Lot” should be eliminated from the Definition section and wondered if there should be another line in Agricultural zoning which would restrict use of feed lots on properties less than five (5) acres. Mr. Stock checked on the internet to see if these regulations were already set up with the EPA. Mr. Ferguson thought it was limited to so many head in a feed lot then it becomes a state permitted. Mr. Zweber said the conflict we have is bigger than a feed lot. He said 400.2.1 says Agricultural purposes are Permitted Principal Uses. Mr. Zweber said they need to keep the definition for feed lot after all as it is used in the definition for Agriculture on page 4 of the Zoning Resolution. Mr. Stock returned with an answer that EPA regulates feed lots in regard to number of animals and how it affects wastewater, storm water, fields and streams. Mr. Stock said there are only four (4) places where the term feed lot is used in the Zoning Resolution. The Commission decided to keep the definition for feed lot and to strike 400.4.8 number 11. There was discussion about commercial feed lots vs private feed lots.

A motion was made by Mr. Zweber to approve the Kennel text amendments with the addition of 400.4 number 11 being stricken, seconded by Mr. Ferguson. Willie Washington-Aye; Alan King-Aye; Kent Harbison-Aye; Jeffrey Zweber-Aye; Donna Randall-Aye. Motion PASSED. These text amendments will be sent to the Trustees for their consideration.

Mr. Zweber made a motion to adjourn the Public Hearing. Mr. Harbison seconded. All voted in favor to adjourn. The Public Hearing adjourned at 7:35 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk