

RECORD OF PROCEEDINGS

MINUTES OF THE
XENIA TOWNSHIP TRUSTEES:

CONTINUED PUBLIC HEARING
OCTOBER 26 , 2015 6:30 P.M.

NOTE: These minutes are a summary of the discussion and are not a word for word account of the discussions. The proceedings were electronically recorded. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio.

Chair Susan Spradlin welcomed everyone and called the continued public hearing for sign text amendments to order at 6:30 p.m.

Mrs. Spradlin said at the public hearing on September 29 the public was permitted to make comments but at this hearing the public cannot make comments as it is up to the Trustees to have discussion. She said at the end of the hearing if there is a conclusion comments may be made.

Roll Call: Susan Spradlin, Trustee Chair; Daniel O'Callaghan, Trustee; Alan Stock, Township Administrator/Zoning Inspector. Mr. Miller was absent from the Public Hearing.

All participated in the Pledge of Allegiance.

Mrs. Spradlin said at the last hearing they had some discussion with the Zoning Commission. She provided a handout of notes and changes they had discussed at the last hearing.

CLARIFICATION OF INFORMATION:

Mrs. Spradlin questioned the last sentence in Section 517.4 "For purposes of determining the distances between large signs, parcels adjacent to, contiguous with, or directly across the street from the parcel in question and owned by the same owner shall be treated as one parcel." She questioned whether parcels across from each other should be considered as one parcel. Mr. Stock said the wording used was consistent with the 500 feet notification text in the Zoning Resolution. Mr. O'Callaghan said this does not restrict the number of signs. Mrs. Spradlin felt it does restrict number of signs because they cannot be placed closer than 1,320 feet. Mr. O'Callaghan said this is only restricting large signs, not small signs. After discussion Mrs. Spradlin said the wording was acceptable.

The Trustees decided to change a sentence in Section 517.4 to read "For purposes of determining the allowable square footage of all signs on corner lots, the **total lot frontage** on public roads can be included."

Mrs. Spradlin said in Section 517.4.2 the size of the sign is 1/4 square foot per foot of road frontage and it might be too small for the E District. Mr. Stock said the minimum road frontage in the E District is 150 feet. Mrs. Spradlin also said a large sign face was defined as larger than three square feet. Mr. Stock said Regional Planning suggested the need to protect the Residential District above all others and the Zoning Commission made the large sign face smaller based on their input. Mr. O'Callaghan said a person could still have a 37 1/2 square feet sign on property with 150 feet of road frontage. Mrs. Spradlin wanted to make sure residents were not too restricted. Mr. O'Callaghan said in driving through residential areas there were some political signs that were 16 square feet and wondered if the new sign text would be enforceable. The Trustees felt like the three square feet for a large sign might be too small. Mr. Zweber explained the Zoning Commission defined a maximum size and a large sign was defined as greater than a certain size up to a maximum size. Mr. Stock explained about any existing signs being grandfathered in.

Mrs. Spradlin asked about Section 517.1 saying all signs hereafter erected constructed or modified shall be exempt from yard and setback requirements of the districts in which they are located. Mr. Stock said this language gives more freedom as long as they are

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not in the right-of-way or causing problem with sight. Mr. O'Callaghan said structures have to comply with setbacks but signs do not with the new text.

Mrs. Spradlin asked about the sign table not matching the B-1, B-2, B-3, M-1, M-2 or M-3 text. The explanation was there was no limit for spacing between the large signs and there is no large sign definition because they can be any size up to 120 square feet.

Mr. O'Callaghan said his only trepidation was with a 40 foot high sign being allowed in the R District.

Mrs. Spradlin suggested a small change to Sign (Temporary) to say "A freestanding sign that does not **occupy** a permanent location on the ground."

Mr. O'Callaghan suggested removing the definitions for **Sign (Ground)** and **Sign (Wall)**.

Mrs. Spradlin suggested adding a definition for **Sign (Illuminated)**. The following definition was formulated: "**A sign that is brightened with an artificial light source whether illumination is emitted, reflected or indirect.**"

Mrs. Spradlin advised the numbering needed to be corrected under 410.4 Conditional Uses.

Mrs. Spradlin changed a word in Section 517.1.4 "No sign shall be erected, relocated, or maintained so as to **delay** free ingress to or egress from any door, window or fire escape."

Mrs. Spradlin asked to change Section 517.1.5 to read "No sign shall be erected at the intersection of any street or driveway in such a manner as to obstruct free and clear vision of **roadway traffic**."

Section 517.1.6 was changed to read "No sign shall be erected at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any **Uniform Traffic Control Devices**; or which makes use of the words "STOP", "LOOK", "DANGER", or any other words, phrases, symbol or character in such manner as to interfere with, mislead or confuse **the public**."

Mrs. Spradlin suggested a change to Section 517.1.7 to say "It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent or immoral matter, including any message or image that identifies sexual activities or anatomical areas **in a sexualized manner**."

In Section 517.2 Mrs. Spradlin asked about strikethrough text not matching page 84 of the Zoning Resolution. Mr. Stock answered the text had been added then deleted as they worked on it. A change was made to Section 517.2.3 "The flag, pennant or insignia of any nation, state, city or other political **subdivision**."

There was discussion again about Section 517.4 and the Trustees changed it to read "For purposes of determining the allowable square footage of all signs on corner lots, the **total lot frontage** can be included."

PUBLIC QUESTIONS/COMMENTS

Mrs. Spradlin asked if there were any questions/comments from the public.

Mrs. Donna Randall, 2051 US 68 North, asked if they could change the word **sexualized** to **sexual** in Section 517.1.7. The Trustees agreed to the change.

As there were no other questions or comments, Mrs. Spradlin made a motion to close the public questions/comments section, seconded by Mr. O'Callaghan. Roll Call: Mrs. Spradlin-Aye; Mr. O'Callaghan-Aye; Mr. Miller-Absent. Motion **PASSED** by roll call of 2-0.

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TRUSTEE DELIBERATION:

Mr. O'Callaghan thanked the Zoning Commission for their incredible work over the past 18 months.

Mrs. Spradlin thanked the Zoning Commission for all their preparation, research and time. She also thanked Mr. Stock for getting everyone together.

Mrs. Spradlin made a motion to close the Trustee Deliberation part of the public hearing, seconded by Mr. O'Callaghan. Roll Call: Mrs. Spradlin-Aye; Mr. O'Callaghan-Aye; Mr. Miller-Absent. Motion **PASSED** by roll call of 2-0.

Mrs. Spradlin made a motion to adopt the changes spoken into the record in the Public Hearing for sign text amendments, seconded by Mr. O'Callaghan. Roll Call: Mrs., Spradlin-Aye, Mr. O'Callaghan-Aye, Mr. Miller-Absent. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-242

ADJOURNMENT:

Mrs. Spradlin made a motion to adjourn the Public Hearing for the sign text amendments, seconded by Mr. O'Callaghan. All voted Aye. The Public Hearing adjourned at 8:07 p.m.

XENIA TOWNSHIP BOARD OF TRUSTEES

Resolution #

Date Approved

Susan Spradlin, Chair

ATTEST:

Daniel O'Callaghan

Alan D. Stock, Administrator

Absent
Scott Miller

slb