

**XENIA TOWNSHIP ZONING COMMISSION
PUBLIC HEARING
ZONING MAP AMENDMENT 2960 W ENON ROAD AGRICULTURAL (A)
TO INSTITUTIONAL/GOVERNMENT (IG)**

MARCH 11, 2020

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 March 11, 2020 at 7:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH 45385.

Vice Chairman Virgil Ferguson called the meeting to order at 7:00 p.m.

All participated in the Pledge of Allegiance.

Roll Call: Virgil Ferguson, Alan King, Roy Colbrunn and Alan King. Kent Harbison, Absent, Jeffrey Zweber, Absent

Mr. Ferguson explained the rules and procedures for the Public Hearing and 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 exhibits he stated that he agreed that all of the ORC procedures have been met and have been verified and placed so that the Commission can hear this application in its entirety this evening.

Mr. Ferguson asked the petitioner to step to the podium and make his presentation.

Tom Dusa, Haley Dusa Engineering and Surveying. Mr. Dusa was hired by Greene Joint Vocational School to reposition the lots so they can be sold in a different form than they are now. There are three lots now basically serving under one purpose. Greene Joint Vocational Center wanted the three lost to become two lots. While preparing for this, it was discovered that one lot was zoned the same as the other two. We are simply trying to get that one lot zoned the same as the other two. The plan is to then go through Greene County to have the three parcels combined into two parcels so the building can be sold separately and will all be zoned the same.

Dave Deskins, Superintendent at Greene Joint Vocational School (GCCC). The Career Center is in the process of building a new school inside the City of Xenia. As a result of the new building, the board is looking to vacate the current building, and to find parties interested in purchasing the properties.

The first challenge was that the property was donated with a reversion clause. There were two donators of these parcels, the Arnovits and the Requworths. The property was to return to the family heirs if it was ever changed from school use. The first step was to communicate with the families. One family immediately gave approval to use the property as seen fit. The second family has twelve heirs, eleven out of twelve have agreed, we are still waiting for the twelfth to agree.

As Mr. Dusa stated, there is one parcel that is roughly 5.1 acres that is unoccupied and is zoned (A) Agricultural. We are asking Xenia Township to rezone this parcel to (IG) Institutional/Government so it may be sold with the detached building. That would be one parcel and the other parcel would be the one with the main campus on it. It is the intent of GCCC to find buyers that are similar in nature to GCCC. Schools are controlled by ORC, so we must communicate with charter and community schools in the region first. Under Ohio law, they can purchase the parcels for fair market value. If there is not any interest from schools, the parcels may be auctioned off or bids may be set by other entities like ours (school, government agencies). If that is not successful, there will be a public bid or a public auction.

Mr. Colbrunn asked if they were anticipating any problems with the last heir?

Mr. Deskins said that he did not see a problem. He stated that the twelve heirs were all over the United States and that they have been communicating with the family for about 13 months. They do not have any concerns and have been told that the last signature is coming. They have had communications through other family members and feel very confident that the last signature will come. If for some reason the last signature does not happen, the family would get land that they would own one half. They are only entitled to the land, not the building. Re-donating the land would be a tax benefit to the family. There is not any real gain for not signing the paper.

Mr. Colbrunn asked if they anticipated problems finding an industry to move there?

Mr. Deskins stated that they have received interest if the lots could be split. A private buyer that is a like industry has shown interest in the property. There are two buyers that would like to purchase the smaller building with the five acres. The larger building is more challenging mainly because of the age of the facility and infrastructure challenges.

Mr. King asked if they understand the restrictions that IG zoning puts on the property?

Mr. Deskins said yes, they did. And that their intent all along was to continue the wishes of the donors from 1966 and to find a like entity.

Mr. Dusa further stated that the whole idea behind this was to restrict anyone from anything different. He further stated that the property as of now is Agricultural and many different things could be done on that land.

Nancy Mangan 2975 W. Enon Road. Stated that she is in favor of the new school, but not in favor of watching the neighborhood deteriorate further than it already has. She asked how they know that the neighborhood will be protected. She stated that the neighborhood has already lost so much with the quarry. Further stated that they fought the quarry and won and then later lost. She said that it is easy to say yes to the rezone, but they do not want to see the neighborhood go to ruin. The value of the properties has already dropped. She asked how she knows what they have left will be protected.

Mr. King read the permitted uses in the IG district.

Dave Crandall 2804 W. Enon Road. Asked why the property wasn't attached years ago when the egress and ingress was granted.

Mr. Dusa stated that the five-acre parcel was donated years later.

Mr. Crandall asked why wasn't the parcel attached when you were granted a permit for the driveway?

Mr. King stated that it is not required to rezone to make a driveway.

Mr. Stock further stated that a driveway is access to land, not a use of land.

Diane Rowland 2965 W. Enon Road. Stated that the neighborhood has fought Cemex for 20 years and they gave a lot of promises. She asked if she could trust that Xenia Township has their best interest at heart. She also stated that she has lived on her property for 40 years and that things have changed, and not for the good. Land has depreciated and she does not want to lose any more money on her property.

Mr. Ferguson asked for last call for public comments, hearing none he closed the Public comments for this hearing at 7:25 p.m.

Commissioners Deliberation:

Mr. Colbrunn stated that the rezone would put more restrictions and help protect uses of the property and could enhance the petitioner and the neighbors both to make sure the property doesn't get turned into something else. It would be a win win for everyone.

Mr. King stated that he did not have any reason not to do the rezone. Said that some would probably like to keep it zoned as A just because it is more friendly to neighborhoods. Stated that the parcel is unusable as it is now. Once it is rezoned, combined, and re-split into two sellable parcels, the chances to get viable schools, library or a resource center will improve. He further stated that if the new owners wanted anything other than allowable in IG, the landowners would be able to come back and state their preferences. He said that he did not see any negative.

Mr. Ferguson stated that with set parameters on what can be built, he doesn't see how this would affect property values much if any at all.

Mr. King stated that if the property becomes employable, it could raise the property values.

Mr. Ferguson made a motion to approve the map amendment change from A to IG Mr. King seconded the motion.

Vote as follows:

Mr. Ferguson – AYE,

Mr. King – AYE

Mr. Colbrunn – AYE

Mr. Zweber – ABSENT

Mr. Harbison – ABSENT

MOTION PASSED

Mr. Colbrunn moved to adjourn the public hearing; Mr. King seconded the motion. All voted AYE. Hearing adjourned at 7:29 p.m.

ATTEST:

Alan D. Stock, Zoning Inspector