

# XENIA TOWNSHIP JOINT TRUSTEE AND ZONING BOARD MEETING

October 29, 2019

**THESES 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 PURPOSE OF THESE MEETINGS ARE FOR FREE EXCHANGE OF IDEAS AND NOT TO GIVE DIRECTION NOR TO SWAY CURRENT ITEMS FOR CONSIDERATION OR PRIORITY OF ITEMS FOR FUTURE AGENDAS. MEETINGS ARE HELD TO ONE (1) HOUR LENGTH EACH FIFTH (5<sup>th</sup>) TUESDAY OF THE MONTH.

The Xenia Township Joint Trustee and Zoning Boards held a meeting on October 29, 2019 at 6:00 p.m. at the Xenia Township Office, 8 Brush Row Road, Xenia, OH 45385; this meeting was advertised on the Xenia Township website within 24 hours of scheduling the meeting.

Attendees: Virgil Ferguson, Jeffery Zweber, Roy Colbrunn, Kent Harbison, Alan King, Steve Combs, Scott Miller, Doug Cope, Darren Jones and Alan Stock

A discussion regarding Air B&B's (Bed and Breakfast) arose. The question was asked what the difference between conventional B&B's and Air B&B's is. It was explained the conventional B&B takes guests, kind of like a hotel, and an Air B&B, are renting their house out online. It was stated that an Air B&B, it's a single-family home and the Homeowner usually leaves the home, in a conventional B&B, the owner usually stays in the home.

It was stated that as of now, only Agricultural (A) can operate B&B's, however in Highway Business District (B-3) hotels and motels are allowed. The question was asked what the difference would be between hotel/motels and B&B's. A B&B can let five (5) rooms or less, a hotel/motel would let six (6) rooms plus. It was asked if there are currently any restrictions on B&B's now, the answer is "No"

The statement was made that maybe all Zones should be allowed to have B&B's with Regulations. The question was asked what constitutes an Air B&B or a lease. After a discussion, it was thought that anything less than 30 days would constitute a B&B and anything more than 30 days should be considered a lease.

The statement was made that a camper on a property could become a B&B. It was agreed upon that the definition for B&B's needs to be expanded upon. The question arose on how it would be enforced? It would take many people just to track the listings on the internet. If there

is a parameter in place, it would hold the homeowner more responsible. There should be fire inspections.

The question arose as to what other zones should be allowed to operate B&B's. Residential zones pose the disadvantage because of the close neighbors and limited parking.

It was then stated that if the residents would make the Zoning department aware of their intentions of operating a B&B, there could be a list of recommendations in place to make sure that there is enough parking places, enough working smoke detectors, and that the neighbors are in favor of the B&B. Sharing the bad experiences that has been encountered would also be used as a precautionary measure.

The question was asked if Xenia Township could be held liable because there is not a set standard for B&B's.

The statement was made that the Trustees must write rules and regulations, not the Zoning Department.

The statement was then made that the B&B's should be held to the same standards as a foster home regarding the safety aspect. It was then stated that more research should be done to see if there are already regulations for B&B's in another district.

More investigation needs to be done on this topic.

The next topic of discussion is Mixed Use Intensity by District:

Highway Business District (B-3) is the highest intensity district, has a list intended of uses. Neighborhood Business District (B-2) is the less intense and smaller district also has list of intended uses, what is not stated is that if you are zoned (B-3) should you also be able to do the things that are permissible in (B-2)? Should it be clearly stated that if you're in (B-3) you are able to also do the things that are permitted in (B-2), or should we leave it alone? It was stated that the fire Code is written to include all permitted uses in one classification plus the permitted uses in the lower classifications.

The statement was made that the rules for permissible businesses was written a long time ago and do not include businesses that are opening now. The suggestion was made to remove the list of permissible businesses and make it one sentence

EXAMPLE: "Any business with seven (7) or less employees can operate here, and business with seven (7) or more employees can operate here."

The statement was made that you are only allowed to live in a Residential (R) Zone, why shouldn't you be able to live in other zones? If you reside in a separate structure and was built after the business is established, why shouldn't a residence be allowed.

The statement was made that a mixed use would allow people to run daycares in their homes.

The suggestion arose as to how feasible it would be to take certain areas and look at mixed uses:

Create new zones for mixed uses or

Overlay mixed uses over already established zones.

It would allow Xenia Township more flexibility in allowing businesses to come into Xenia Township.

The discussion topic for the next meeting will be home occupation.

ATTEST:

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Alan D. Stock  
Zoning Inspector

