

XENIA TOWNSHIP ZONING COMMISSION

MEETING

December 17, 2013

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 meeting on December 17, 2013 at 6:00 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 were Alan Stock, Zoning Inspector/Clerk; Stephen Anderson, Greene County Regional Planning; Greg Sparks, Spring Valley Township resident; Brian Corey; Miami Township; Cheri Dixon, and Dale Dixon, Caesarscreek Township residents.

Chairman Alan King called the meeting to order at 6:07 p.m. Kent Harbison made a motion to approve the minutes from November 26, 2013. Virgil Ferguson seconded. All voted aye.

Alan King stated the group will be looking at Agri-Tourism, also known by Agri-Entertainment and Rural Entertainment and Hospitality. He read a definition of Agri-Tourism, written by the University of California, as the “active visiting of a working farm for the purpose of enjoyment, education, or active involvement in the activities of the farm.” In September 2012 the State of Ohio established a Tourism Ohio Advisory Board indicating the State must think it is an important part of agriculture. He also read the current conditional uses in an Agricultural District in the Xenia Township Zoning Resolution. One of the conditional uses in Agriculture is Commercial Recreational Facilities which seems to cover Agri-Tourism.

Cheri Dixon gave a recap of their purchase of a 25 ½ acre distressed farm in Caesarscreek Township and the renovation of the house and barn. They were selling grass-fed meat but found it was not enough to sustain a living from the farm. It was zoned Agriculture and they assumed agri-tourism would be included in this. They began to book weddings to supplement their income. At first the neighbors approved of this, but later complained to Caesarscreek Township. The Township sent the Dixons to work with Stephen Anderson, Greene County Regional Planning, and they decided to introduce Agri-Tourism as a text document change so it would cover more businesses than just hers (instead of asking for a conditional use permit). They were turned down and told to “Cease and Desist” in June of 2012. There is no place in Caesarscreek Township’s current zoning that supports their land use. As of a week ago, lawyers negotiated and the Township will drop a permanent injunction if they will request a conditional use. She has an article about a woman in Florida who was able to renovate her small farm from the money she received from her wedding business.

Greg Sparks spoke about their purchase of 7 ½ acres in Spring Valley Township. He is one of two people in Greene County who has created a farm from residential property. He raises beef, turkeys and chickens. There was a huge demand for having weddings in their barn, so after researching, they decided to go to the Board of Zoning Appeals for a conditional use for agri-business. He is waiting the 30 days for their answer. There was a similar operation in Spring

Valley Township called Blackberry Cove which hosted around 100 events a year. Blackberry Cove had to shut that part of their business down recently due to sickness of the owner.

Stephen Anderson wrote the Rural Entertainment and Hospitality text while helping the Dixons. Alan Stock adapted this for a potential Xenia Township text amendment. It is intended for a starting point for potential changes. (A copy is attached to these minutes.)

Alan King recapped discussion with the fact there is a definition for Agribusiness that is not in use in the Xenia Township Zoning Resolution and asked the Commission if they wanted to use the rural entertainment and hospitality text given by Stephen Anderson. The group went point by point with the text Alan Stock provided to see what would be applicable for Xenia Township. Text dealing with noise, odor, setbacks, parking, and alcoholic beverages is already dealt with in other places in the Xenia Township Zoning Code. The first paragraph of the sample text will be listed as a Definition for Rural Entertainment and Hospitality. The Commission wanted to add the words "privately contracted" business enterprise in the first paragraph. (It was decided to remove the number in front of each definition in the Xenia Township Zoning Resolution to avoid renumbering every time a new definition is added or removed.) "Points d and e" are health department issues. "Points f, g and h" are covered under Nuisances. Alan Stock asked if Agricultural exemptions still allow the zoning inspector to enforce them. Stephen Anderson said Rural Entertainment and Hospitality is a business enterprise on a working farm and agricultural exemptions are out. Alan King said "Point j" would be a fire department issue. There was discussion about occupancy. Alan Stock said these are two different things. He said in townships occupancy is given by the county; however, the township is the entity that follows up, based on what category the occupancy is. He said "point j" is about use of the land, not occupancy. "Point j" Fire and emergency vehicle access will be added to all conditional uses. "Point k" on signs should be dealt with in the section on signs and "point i" on parking should be dealt with in the section on parking. "Point l" could be removed. "Point m" is covered in the flood plain text. It applies in every district except Agricultural. Under zoning it is exempt to build in the flood plain, however, the flood plain administrator would have input on building in the flood plain no matter what the property is zoned. The flood plain administrator has federal power to regulate. "Point n" about the release of balloons which can pose a danger to animals that eat them, should be placed in conditional uses in all districts. "Points o, p and q" will be deleted. "Points a and b" will be eliminated. "Point c" will be dealt with by the Board of Zoning Appeals as they always ask for a site plan which will address distance from existing adjacent property residential dwellings. "Point i" will become 400.8 Accessory Parking and refer to Article V, Section 514.2. "Point k" will become 400.9 Signs and refer to Article V, Section 517.

Kent Harbison made a motion to adjourn the meeting. Virgil Ferguson seconded. All voted in favor. Meeting adjourned at 8:08 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk