

SCIOTO TOWNSHIP ZONING COMMISSION – March 15, 2016

A Regular meeting of the Scioto Township Zoning Commission was called to order by Chair Weatherhead at 7:00 p.m. The following members were present: Hamilton, Fisher, Jahn, Roese, Weatherhead. Present from the BZA: Braskett. Also in attendance were attorneys: Griggs, Huber.

The minutes of the February 16 meeting were approved with a motion by Roese and a second by Jahn. Vote: Hamilton-yes, Fisher-yes, Jahn-yes, Roese-yes, Weatherhead – abstain.

*Special Use District* – Griggs talked about court rulings that state there cannot be Zoning regulations that differ in standard Zoning districts. Further, he noted there is no statutory provision that requires a development plan in Special Use districts. Without our current requirement for a development plan, Permitted Uses would need to be added. Options were discussed: eliminate Special Use district and instead move the applicant to Planned District, continue current process until we are challenged, or tweek the current process and fee. Griggs will send McFarland examples. He said typically entities make Churches Permitted Uses in multiple districts. Griggs stated Minor development plan changes would not need to be advertised and he suggested the Zoning Commission be given the authority to make the determination if a change is Minor or Major and if Minor, it could be considered for approval immediately. An application would be required however so the Zoning Inspector will be aware of the change. Roese and Weatherhead requested an opinion from the Board of Trustees.

*Dissolved Village of Orient zoning* – Pete Griggs and Jennifer Huber from Brosius, Johnson, Griggs, LLC were in attendance and presented a draft of the Zoning Resolution amendment, titled District O. Huber stated the proposed amendment was a compilation of Orient code and the Township District R3. The process will be to establish a district for the now dissolved Village, establish regulations, and amend the zoning map. It was noted there will still be non-conforming properties that will require review by the BZA prior to new construction. The Commission had a few initial concerns with the draft:

..existing conditions may be continued. Griggs said they will revisit this section.

This started the discussion of using Zoning to cleanup properties. Griggs stated nuisances are better handled by the statutory process which allows the Trustees to enforce the cleanup and then assess the property owner's taxes for any costs to the Township for the cleanup. Process:

1. Zoning Inspector takes photos and presents to the Board of Trustees,
2. Trustees pass a resolution declaring the nuisance and a letter outlining the cleanup expectations is sent certified to the property owner. This letter should state the timeline to have the property cleaned and if not, the Township can enter upon the property and take care of the problem. The time given the property owner to complete the cleanup; 7 days weeds, 14 days junk vehicles, 30 days structure,
3. If the Township has to do the cleanup, a tax abatement for related costs is ordered.

..reconstruction and movement – movement will be scratched, inconsistency 12 vs 18 months will be addressed.

..if property is abandoned 24 months, rezoning cannot be required if the property owner is doing one of the Permitted Uses. Otherwise rezoning would be needed. Hamilton said this Commission needs to review the Permitted Uses and eliminate things like transfer terminals that we know can't be there.

..Huber said the property owner can apply to rezone to another Township zoning district, O district however is only applicable to the Village area and cannot be requested elsewhere in the Township.

..inconsistency in minimum lot size needs to be addressed.

..fences need to be addressed per McFarland. Griggs said this should be treated as Accessory Uses and Structures like in other Districts.

..Village annexed property would be subject to District O and to prevent that from happening, the Board of Trustees could initiate the rezoning of the annexed property. Griggs to provide additional wording.

Griggs told the Commission they need to review the draft Amendment and tell the Attorneys what changes they recommend for District O. The focus should be on minimizing nonconformities.

McFarland asked if he could enforce back yard cleanup if he could see it from an alley. Griggs said this would be specific to the lot.

Living in an RV, AG lot – per Griggs RVs are permitted on AG lots.

McFarland distributed the Zoning permit report and told the Commission there will be a hearing at the next meeting. The start time for the Zoning Commission meetings moves to 8:00 p.m. next month (during daylight savings time).

With no other matters to come before the Board, Roese moved to adjourn. Jahn seconded the motion. Vote was unanimous. Meeting adjourned.

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