

The Athens Township Zoning Commission
Regular Meeting October 9, 2019
6pm The Plains Public Library
Meeting Minutes

The Athens Township Zoning Commission met in regular session on October 9, 2019 at 6pm at The Plains Public Library, 14 S. Plains Rd. The Plains

CALL TO ORDER/ROLL CALL

Meeting was called to order by Chairperson Sean Jones at 6pm
Commission members Sean Jones, Brian Dearing, Ken Robinson, Rick Fernow, and alternate Michael Hornsby were in attendance.

Mr. Robinson confirmed that Mr. Hornsby had been seated as an alternate member of the Commission at the Tuesday, October 8, 2019 meeting of the Athens Township Trustees.

PUBLIC COMMENT

Three community members had comments for the commission: Amy Stevens, who expressed interest in having a sound ordinance; John Rinaldi, local entrepreneur interested about the community; and Teena Thornton, a new resident to The Plains who came from an area that had major zoning regulations and is concerned about the amount of trash that is allowed to pile up on properties.

MOTION TO ACCEPT MINUTES FOR 9/25/2019

Mr. Jones motioned that the minutes for the previous meeting appeared to be in order, and for the Commission to accept the minutes as entered. Mr. Dearing noticed that The Plains Elementary School Land Lab had been mistakenly referred to as the Athens High School Land Lab and requested that it be changed. Motion was then altered to accept the minutes as amended:

Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes

WEBSITE AND EMAIL ADDRESSES

Mr. Robinson reported that the Athens Township trustees had approved the Commission to have its own website hosted by the township. Commission members would also be given "official" email addresses. Trustee Steve Pierson had put Mr. Robinson in touch with Roman Warmke, of Eden Marketing, to work on the details of the website. Mr. Jones enquired if Mr. Warmke could also set up our Facebook page. Mr. Dearing questioned using any type of public funding for Facebook page creation, mentioning that a blog on the website could be an alternative. Mr. Jones felt that a Facebook page would allow the dealings of the Commission to be more public. Mr. Robinson continued to support the use of social media for transparency.

Motion was made by Mr. Jones to have Mr. Warmke (Eden Marketing) set up a website for the Commission. Dearing seconded.

Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes

A second motion by Mr. Jones was made to explore having Mr. Warmke (Eden Marketing) create a Zoning Commission Facebook page. Mr. Robinson seconded
Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes

INVITATION TO VISITING COMMUNITY MEMBERS TO BE ALTERNATES

Mr. Jones invited all community members in attendance to think about becoming an alternate on the Commission. Mr. Jones motioned to table it to the next meeting to allow interested parties time for consideration. Mr. Robinson seconded.
Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes

REVIEW OF ZONING CODES; ADOPTION OF DEVOLA CODE AS TEMPLATE

Zoning codes for Devola, Ohio; Lithopolis, Ohio; and Albany, Ohio had been studied by Commissioners over the past few weeks. While Mr. Jones liked Albany's charts of permitted uses within each zoned district, he saw them as potentially limiting. Lithopolis was cited as being too ambiguous, with Mr. Robinson suggesting a desire to avoid ambiguity, given the Commission's preference for a straight-forward zoning code. Mr. Dearing deemed that the Lithopolis code also relied too heavily on technical jargon; and didn't see much use given the stark differences between that particular community and The Plains.

Mr. Fernow and Mr. Dearing were bothered by "unrestricted zoning districts" within each of the codes. Mr. Jones feared such an ill-defined district would be subject to bias and dependent on the interpretation of whomever was a member of the Commission at any given time. Mr. Jones and Mr. Robinson preferred Devola as a starting point, while Mr. Fernow liked Albany's code because he felt it was more complete. Albany's charts were again identified as a strong plus; especially for use as a quick reference to what is and is not allowed within each zoning district. Mr. Fernow pointed out that the Devola code was inconsistent: while they did not make use of conditional uses, their appendix provided a process for getting a conditional use permit. Lithopolis was discarded as too complex. Mr. Dearing felt the Devola code was an example of the "zoning light" model the Commission is hoping to build for The Plains.

Mr. Jones motioned to adopt the Devola Zoning Resolution as the model for the creation of a zoning plan for The Plains. Mr. Robinson seconded.
Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes

DISCUSSION OF DEVOLA CODE

Mr. Dearing gave a brief overview of the Devola Zoning Resolution (Muskingum Township of Washington County, Ohio), which was originally passed in 1954. He mentioned major water issues within the Devola area, which were not anticipated when their code was implemented. It was pointed out that the Devola code was put into effect well before the creation of the EPA and modern environmental policy.

Devola has two defined residential districts: single family residence and multiple dwelling. Mr. Jones made note that it is residential neighborhoods that we are trying to protect. The Commission, led by Mr. Jones, began to dive into the Devola residential code, line by line, starting with their "R" Residence District Regulations". Mr. Fernow offered that Devola's "R" zone was "everyone else's R1 (single family dwellings)". A long discussion of Devola's "R" code followed. Mr. Dearing brought up permissible agricultural uses for property within an R1 district. It was acknowledged that Ohio state law prohibits many restrictions on agricultural usage.

As the Commission continued discussion of the “R” district, a lengthy discourse about defining temporary buildings –including size limitations, number of buildings allowed, and potential lot coverage percentage of these temporary buildings- was debated. Use of recreational vehicles on a temporary basis, and the storage of these vehicles on one’s property, followed. While Devola allowed 180 days, Mr. Jones felt 60 days was enough, with Mr. Dearing arguing for 30 days. A compromise of 45 days was unofficially agreed upon. Evergreen screening for these vehicles and fencing were discussed; as well as a requirement that each vehicle be currently licensed. Other topics covered included: the permissibility of gravel lots; lot coverage of driveways; mobile vs modular homes in an R1 district (with deeded homes seen as an easily defined characteristic for an R1 dwelling); and signage for home-based businesses. No official action was taken.

WRAP UP AND ADJOURNMENT

A conversation about the comprehensive plan will most likely take place at the next meeting, as Mr. Jones will be absent and his expertise in zoning regulations is valued by other Commission members.

Mr. Dearing made a motion to dismiss; Mr. Robinson seconded.

Jones: Yes; Dearing: Yes; Robinson: Yes; Fernow: Yes; Hornsby: Yes