

Held

April 6, 2023

(YEAR)

The Miami Township Zoning commission met in regular session on Thursday, April 6, 2023, at 7:00 pm at the Miami Township Civic Center, 6101 Meijer Drive, Miami Township, Ohio 45150.

The meeting was called to order by Chairman Jeff Baumgarth.

The Pledge of Allegiance was led by Mr. Baumgarth.

Upon roll call the following members were present: Jeff Baumgarth, Ed Marcin, Tim Brandstetter and John Rademacher. Also present: Planning & Zoning Administrator Brian Elliff and Board Secretary Lori Pegg.

Mr. Marcin made a motion to approve the minutes as submitted for the meeting date March 2, 2023, seconded by Mr. Brandstetter, all voted "AYE," Mr. Baumgarth abstained.

There was no old business.

The Common Rules of Conduct were read and there were no continued hearings.

PUBLIC HEARING

Case #586—Rezoning of Residential Properties Zoned Business

Public Hearings: Case #586, Rezoning of Residential Properties Zoned Business was called, and the notice of public hearing was read. Staff research has determined that there are 31 single family residential parcels located within Miami Township that are incorrectly zoned "B-2" General Business District or "B-1" Neighborhood Business District. This discrepancy likely dates to 1999, wherein zoning Case #447, "residential" was eliminated as an allowed use in the "B-1" and "B-2" zoning districts.

At its February 21, 2023, Business Meeting, the Board of Trustees initiated the proposed rezoning by adopting Resolution 2023-07, provided separately. Within the Resolution, 31 parcels are identified that would be subject to the rezoning. The rezoning has been assigned zoning Case # 586, which is now referred to the Zoning Commission for action and recommendation per ORC 519.12.

In addition to the interesting zoning history, there is a reasonable modern concern that if a business were to propose to locate within one of these "residential"-"B-2" or "B-1" properties, it may be difficult to regulate. Further, residential use within the "B-2" or "B-1" districts is considered "nonconforming" which sometimes leads to difficulties in transferring the home or obtaining financing.

Therefore, staff is recommending that these parcels be re-zoned to the appropriate single family residential district, which will allow them to remain in keeping with the surrounding residential uses. More detailed information on these parcels and a summary of the proposed residential classification for each is noted below:

- 1) Focus Area 1 – State Route 28; Barre Road: Currently, there are 3 parcels in this focus area that are zoned B-2 General Business District. The proposed zoning change is to R-2 Residence District.
- 2) Focus Area 2 – Buckwheat Road; Hunt Club & Whitegate: In Focus Area 2, there are 19 parcels that are incorrectly zoned B-1 Neighborhood Business District. These 19 parcels are presently being used as single-family residential, and the surrounding properties are zoned R-2 Residence District. Thus, it is proposed to correct the zoning from B-1 Neighborhood Business District to R-2 Residence District.
- 3) Focus Area 3 – State Route 131 West; Autumn Wynd Lane: In this focus area, there are 3 parcels that are currently zoned B-2 General Business District but are being used for residential. It is proposed to correct the zoning to R-3 Residence District to match the residential uses with the surrounding residential zoning.
- 4) Focus Area 4 – State Route 131 East; Mt Vernon, Berkshire: Along Mt Vernon Drive, there are 4 parcels that are presently zoned B-1 Neighborhood Business District. Off Berkshire Drive, there are 2

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parcels with B-1 Neighborhood Business District zoning. In total, there are 6 parcels in this focus area that are incorrectly zoned for business. It is proposed to change the zoning to R-1 Residence District.

The Board asked for public comments:

Mr. & Mrs. Kenneth Dolby, 6379 Barre Road, noted that they live in the parcel that is partially in Miami Township and partially in Goshen and they have no problem with the zone change.

Mr. John Hand, 5858 Whitegate Ct, asked what caused the decision to do this rezoning and would they still receive Township services in the same manner they have been receiving. Mr. Elliff noted it was prompted by a few recent discussions with property owners who were questioning zoning, so the Township took the initiative to research all parcels affected. He also noted the zone change will not affect any services.

Ms. Suzanne Perry, 5613 Autumn Wynd Lane, owns the small portion of land at the entrance to the subdivision which is in a commercial area. She agrees that they are happy with the rezoning.

The Board thanked staff for their work on this project and agreed that it is important in helping to modernize the zoning map and the residents in attendance are in favor.

Mr. Marcin made a motion to recommend the rezoning of the presented parcels to the appropriate residential zoning district, seconded by Mr. Rademacher and all voted "AYE."

NEW BUSINESS

Imbus Enterprises Limited Case # 587 (Text Amendment)

Set case for public hearing on May 4, 2023

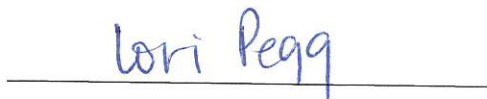
Mr. Marcin made a motion to set case #587 for public hearing on May 4, 2023. Seconded by Mr. Brandstetter and all voted "AYE."

The next meeting is scheduled for May 4, 2023, at 7:00 pm

There being no other business the meeting was adjourned at 7:40 pm

Sincerely,


Jeff Baumgarth, Chairman


Lori J. Pegg, Secretary

Cc: file