

RECORD OF PROCEEDINGSJerome Township Board of Trustees
Public Hearing

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

December 27, 2023

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Case #ZT23-003
Application for a Zoning Amendment

The Board of Township Trustees of Jerome Township, Union County, Ohio met in special session on December 27, 2023 at 7:01 p.m. for a public hearing. Board Chairman Wezlynn Davis called the meeting to order. Megan Sloat, Barry Adler and Wezlynn Davis answered the roll call. Also in attendance were Eric Snowden (Zoning Inspector/Coordinator), Jennifer Huber (Brosius, Johnson & Griggs), and members of the public.

The application, submitted by the Jerome Township Board of Trustees, requests an amendment to the text of the Township Zoning Resolution.

Eric Snowden explained the process stating the Board exercised its authority to initiate an amendment to the Township Zoning Resolution. First it must be reviewed by the regional planning commission and second it must be reviewed by the township zoning commission. He stated the regional planning commission recommended the amendment be denied but more information will be shared as to what that means. The Jerome Township Zoning Commission held hearings with a recommendation for approval with modifications. In addition, the Zoning Department with Trustee Megan Sloat held an open house to meet with the community about the requested amendment and receive community feedback.

Jennifer Huber explained that what the Board is discussing today is a special kind of zoning district. She noted there are two types of districts a standard district and a planned district. The one being considered is a specific kind of planned district called a planned overlay district. The reason it is different is because it looks like a cloud providing for an optional, at the request of the applicant, set of specific standards and requirements. It was emphasized that it does not change the current existing zoning of the properties in the area but provides for an option for the future. It was noted that much of the area is already designed as commercial types of uses in the current comprehensive plan.

Megan Sloat explained the goal of the overlay is to direct desired development to certain areas of the Township which are more suited for that type of development to enhance economic growth as opposed to a scattered approach. She added that overlays are extremely common. Wezlynn Davis stated this amendment would streamline commercial development and potentially be an advantage versus offering tax abatements.

The Board wished to discuss the changes that have been made to the amendment since it was initiated and have been available to the public since August. The following changes recommended by the Zoning Commission were presented:

- Combining sub-areas five and six
- Removing the principle solar energy production facility and wind energy systems
- Removing multi-family use
- Removing blank attachment pages

Text changes included the following:

- Removed any references to standards related to residential use
- Clarified permitted and conditional uses
- Removed residential private garages
- Changes to Section 535.06(A) relating to setbacks
- Changes to Section 535.06(G) reducing maximum building height to fifty feet
- Changes to Section 535.06(J) reducing the maximum height of ground signs to fifteen feet
- Changes to Section 535.06(L) landscaping and screening requirements
- Changes to Section 535.11(C) architecture and design requirements
- Right-of-way setbacks for busier roads (major or minor collectors) as well as local/internal roadways
- Setbacks within lots

Public Comment

During public comment the following items were addressed:

- Request to allow for cemeteries as an allowable use
- The amendment has no effect on the existing comprehensive plan
- The amendment has no effect on existing zoning
- The overlay directs commercial development to the overlay area
- Commercial development is coming regardless of the existence of an overlay
- Infrastructure improvements should come before development
- The Zoning Resolution may be amended by the Board of Trustees at any time to consider changing circumstances
- Possibility of combining sub-area four with five and six
- The overlay, if used, would eliminate the option to referendum individual rezoning requests in the overlay area
- Setback standards of the overlay area compared to other commercial areas

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One member of the public asked for additional explanation as to why the regional planning commission recommended denial. Eric Snowden replied that in short, the original amendment referenced retail uses and the current comprehensive plan does not address those uses. The resident asked if the amendment was sent back to the regional planning commission for a second review. Eric Snowden stated it had not because such action would violate current law. However, in his professional opinion the recommendations of the regional planning commission were incorporated by the Zoning Commission as part of their modifications.

Discussion took place regarding language in the amendment that appears to be in conflict with the existing comprehensive plan regarding multi-family use. It was suggested that the language if present prevent an applicant from filling an application for multi-family use even if they chose not to use the overlay. Jennifer Huber responded the sentence as it has been included is intentional to carry out the purpose of the overlay to be able to deny a multi-family application due to its removal from the amendment as referenced earlier.

Barry Adler suggested the meeting be continued due to the number of comments and information received. It was moved by Barry Adler that the Board of Township Trustees of Jerome Township adopt the following motion:

The Jerome Township Board of Trustees continue the hearing in Case Number ZT23-003.

The motion died for a lack of a second.

Barry Adler made the following comments:

- The overlay or cloud does not change existing zoning
- The overlay should be seen as more like a filter to provide developers with an idea of a property's use
- Provides and advantage to the developer
- Developers using the overlay will not subject to referendum
- Provides a way to better manage growth

He also expressed his concerns including the following:

- Standards are lower rather than increased in certain areas
- Allows for divergencies is contrary to and defeats the purpose of well-defined zoning regulations
- Recommended approval of the comprehensive plan sooner than later to be included with the overlay
- Traffic is a major concern
- Varies details regarding building heights, setbacks, uses, design standards, signage, landscape buffering, etc.
- Giving final detailed development plan approval authority to the Zoning Commission and not the Board of Trustees

Megan Sloat asked Barry Adler to address individual items as follows:

- Buffering – increase minimum number of trees from seven to ten per one hundred feet and change references to one hundred percent coverage to ten trees. It was explained that one hundred percent coverage was a more stringent requirement than ten trees.
- Truck stops – reference to gasoline stations except for truck stops

Wezlynn Davis stated she feels very strongly that overlay is important to economic development, but it is clear the residents have not had the proper time to understand the details. She hesitates to table the matter due to a new trustee taking office in January and information received this evening. She emphasized the understanding that tabling the amendment which would restrict multi-family use would open the possibility for someone to file an application for that use.

Megan Sloat expressed her frustration that several the concerns expressed have already been addressed and explained while some are being raised for the very first time. She emphasized the amount of work that has gone into the document including eight hearings and the process is not being rushed. She stated everyone cannot get one hundred percent of what they want.

Wezlynn Davis again asked Barry Adler if he understood that tabling the amendment would mean it would open the possibility for an applicant to file for multi-family use in this area. Barry Adler responded that an application could be continued. Eric Snowden responded that once an application is filed it is reviewed based on the current regulations in place at the time it is filed. Barry Adler responded he is willing to roll the dice.

Board of Trustee Action

At 11:28 p.m. it was moved by Wezlynn Davis and seconded by Megan Sloat that the Board of Township Trustees of Jerome Township adopt the following motion:

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The Jerome Township Board of Trustees continue the hearing in Case Number ZT23-003 until January 16, 2024 at 7:00 p.m. at the Township Hall located at 9777 Industrial Parkway.

The vote resulted as follows:

Megan Sloat, yes

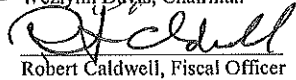
Barry Adler, yes

Wezlynn Davis, yes

The motion carried.



Wezlynn Davis, Chairman



Robert Caldwell, Fiscal Officer