

**KINGSTON TOWNSHIP ZONING COMMISSION
MEETING MINUTES**

APPROVED: June 18, 2008

DATE: May 21, 2008
LOCATION: Kingston Township Hall
TIME CALLED TO ORDER: 7:04 PM by Chairman Cope

MEMBERS PRESENT:	(CHECK ONE)		
BURRELL	YES	X	NO
GROVE	YES	X	NO
COPE	YES	X	NO
HARSANY	YES		NO X
DEAVERS	YES		NO X
STEINHOFF	YES	X	NO
TALBOTT	YES	X	NO
STITES	YES	X	NO

PUBLIC PRESENT: None

APPROVAL OF MINUTES:

Alternate Steinhoff (voting status during the meeting) made a motion to approve Meeting Minutes dated April 16, 2008. The motion was seconded by Member Grove and was unanimously approved.

GUEST SPEAKER:

Scott Sanders, Executive Director of the Delaware County Regional Planning Office attended the meeting at the invitation of the Zoning Commission to discuss "spot zoning". Sanders pointed out that spot zoning is generally defined as the rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive zoning plan for the area. He provided two handouts regarding the topic. The first was an article Understanding Spot Zoning by Robert C. Widner, Esq. *attached as Item 1*, and the second excerpts from the Ohio Planning And Zoning Law Book in regard to spot zoning and *attached as Item 2*. In preparation for the meeting, Members were provided copies of two September 2007 e-mails regarding spot zoning *attached as Item 3*.

Sanders reiterated several items that the Zoning Commission should consider during rezoning proceedings to help ensure sound decision making. The rezoning request should be in character with the neighborhood. The request should benefit the entire community (promotes a general purpose) versus one individual property owner. Rezoning small, single parcels should be avoided. The request should be consistent with the comprehensive land use plan. He gave several examples that have come before the Regional Planning Commission that could be considered "spot zoning" including a retreat in Scioto Township that proposed a restaurant that would be open to guests and the general public. The request was not supported by the Regional Planning Office as it was inconsistent with comprehensive land use plan.

A question was raised regarding the Kingston Township Zoning Resolution which has a Planned Recreation District; however, the district is not designated on the comprehensive land use map. He suggested that the district was appropriate to have in the code even though it is not on the map. He expressed his opinion that townships should have multiple districts to give people development options and provide future revenue opportunities for the township. The rezoning hearing process provides an opportunity to consider the application in relationship to the items discussed above along with an opportunity for the zoning commission to hear public testimony from residents both for and against.

ZONING REPORT:

The Zoning Commission was provided a copy of the April 2008 Zoning Report to the Trustees *attached as Item 4*. Limited discussion followed concerning the status of the NorthStar Administrative Review regarding the Trustees decision to support final plan approval at their May 5, 2008 meeting, the relocation of the water tower and the transfer document being coordinated by Zoning Attorney Michael O'Reilly.

Members were provided a copy of the final draft of the Kingston Township Comprehensive Plan 2006 dated Draft April 16, 2008 and marked as Exhibit A. Due to size, a copy of the document is on file at the Zoning Office and not attached. They were given a copy of their signed resolution dated April 16, 2008 and *attached as Item 5* which referred the comprehensive plan to the Trustees. Also, a copy of the April 16, 2008 Public Input Meeting transcript was provided and *attached as Item 6*.

Media Articles

Several newspaper articles were distributed for information including:

- Liberty Twp. Sex Offender Residence Limits, April 17, 2008, The Big Walnut News *attached as Item 7*.
- Wind & Solar Power Analysis, May 2008, Country Living Magazine *attached as Item 8*.
- A recipe and poem were distributed by Secretary Stites *attached as Items 9 and 10*.

OLD BUSINESS:

Comprehensive Planning Process Update

Zoning Commission Members were advised that the final draft plan was presented to the Trustees at their May 5, 2008 monthly meeting, and that they established Wednesday, May 28, 2008, 7:30 p.m., Kingston Township Hall to hold their public input meeting. They were advised that Member Harsany had confirmed that he would attend the meeting and provide opening remarks regarding the plan.

They were informed that a discrepancy had occurred when Fiscal Office Greg Roy attempted to place the required legal meeting notice with the Sunbury News on May 14, 2008 and the Delaware Gazette on May 15, 2008. A single notice did appear in the Delaware Gazette on May 21, 2008. After consultation with Zoning Attorney O'Reilly, it was determined that a second meeting notice would be placed in the Delaware Gazette on May 23, 2008 advising that the Trustees would hear public input on the plan on May 28, 2008 as described above and also on June 2, 2008 at their monthly meeting. This action fulfilled the meeting notice requirements established by the Ohio Revised Code.

Also, they were advised that Zoning Attorney O'Reilly was working on a draft resolution for the Trustees to adopt the comprehensive plan.

Infrastructure Study Update

Inspector Talbott indicated that the draft study document received by the Township is a positive analysis tool, and raises a number of issues upon which the township must focus future attention. The final report is still in progress.

NEW BUSINESS:

A discussion took place to determine future direction for the Zoning Commission. Chairman Cope inquired if the Zoning Office had a specific, allocated budget from the Trustees based on goals and objectives submitted by the Zoning Office. Inspector Talbott indicated that the office does have an allocated budget established annually by the Trustees. He indicated that the office has received significant fiscal support for operations from the Trustees, and that he would discuss the matter with the Trustees to determine their preference for establishing Zoning Office budget allocations. Generally, the Members felt that over the next several months, the commission should focus their attention toward revising the zoning resolution in terms of new areas of concern and outdated sections.

Inspector Talbott indicated his intent to investigate Kingston Township Zoning Fees in relationship to surrounding townships as a future action item.

FOLLOW UP ITEMS:

Secretary Stites was asked to organize all information regarding updates to the Zoning Resolution previously compiled by the Zoning Office and former Zoning Inspector Dave LaValle for consideration at the June 18, 2008 meeting.

ADJOURNMENT:

Member Grove made a motion for adjournment. The motion was seconded by Alternate Steinhoff (voting status during the meeting), and was unanimously approved.

TIME: 8:47 PM

SUMBITTED BY: Dave Stites, Zoning Secretary/Assistant Zoning Inspector