

MIAMI TOWNSHIP ZONING COMMISSION
Minutes –December 20, 2022, Mtg.

The Miami Township Zoning Commission held its final meeting of the year on Tuesday, December 20, 2022, at the Miami Township Administration Office, 101 E Herman Street, Yellow Springs, Ohio. Present were Commissioners Fred Legge (Chairman), Brian Corry (Vice-Chairman), and Dale Amstutz; Township Zoning Inspector Richard Zopf; township residents Steve Wirrig and Stacy Wirrig; and minute-taker Charles Swaney.

A quorum being present, Mr. Legge called the meeting to order at 7:05 p.m. The Commissioners reviewed the minutes of their November 15, 2022, meeting; upon motion and second, they approved same.

Mr. Legge welcomed Mr. and Mrs. Wirrig to the meeting, and asked Mr. Corry to summarize the Commission's November deliberations with respect to Subsection 18.50 of the Miami Township Zoning Resolution (temporary exceptions). Mr. Wirrig distributed a draft of his proposal for an amendment to the Zoning Resolution designed to better accommodate "Temporary Special Events" such as the comedy shows he has hosted on his property (zoned A-1) fronting on both US Route 68 North and Meredith Road in the northern part of the township. Mr. Wirrig proposes the addition of a "festival" exception to the township's zoning regulations authorizing the township zoning inspector to approve land use for special events such as festivals, circuses, concerts, etc. not otherwise permissible under applicable zoning. The proposed addition would be somewhat similar to the "festival" provision in the Xenia Township Zoning Resolution, but would include more safeguards to protect the interests of the township and neighboring residents.

Noting that the purpose of land use regulation via zoning is not to restrict a landowner's use and enjoyment of his property, but rather to promote public health, safety and welfare, Mr. Legge cited the problems (traffic, noise, etc.) associated with festival events and expressed doubt that such events are of any significant benefit to the township and its citizens. In response, Mr. Wirrig cited a recent economic impact study purporting to quantify the economic benefits resulting from the comedy shows he has hosted. Mr. Corry countered that the touted economic benefits accrued not to the township or its rural residents but rather to the Village of Yellow Springs and its businesses (restaurants, hotels, retail stores, etc.).

Following further discussion, Mr. Wirrig thanked the Commissioners for their consideration of his proposal and Mr. and Mrs. Wirrig left the meeting. The Commissioners continued their discussion of Mr. Wirrig's proposal and of existing Subsection 18.50 of the Zoning Resolution, agreeing that, at a minimum, some revision of the current temporary exception provision would be appropriate to provide guidance to the Board of Zoning Appeals (BZA) with respect to any future festival-type land use proposals that may come before it.

The Commissioners and Mr. Zopf again discussed inviting the Township trustees and members of the Miami Township BZA to attend the Commission's January, 2023, meeting, the agenda for which would include a review of the 2022 revisions to the Zoning Resolution and consideration of the Commission's priorities for 2023 and beyond. Mr. Zopf agreed to present the idea to both groups.

The Commissioners scheduled their annual business/organizational meeting for Tuesday, January 17, 2023, and adjourned the meeting.

Fred Legge, Chairman

Charles Swaney (secretary for meeting)