

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD MARCH 18, 2025
ORANGE TOWNSHIP - DELAWARE COUNTY**

The electronic recordings of this meeting serve as the official meeting minutes.
A full and accurate account of this meeting's audio and video can be found at www.orangetwp.org

Christine Trebellas called the meeting to order.

ROLL CALL: Christine Trebellas, Chair - Present
Les Pierce, Vice-Chair - Present
Dennis McNulty - Present
Pam Foster – Present
Punitha Sundar, alternate – Present

ALSO PRESENT: Robin Duffee, Development and Zoning Director
Michele Boni, Township Administrator
Julie Donnan, Legal Council

Mr. Duffee begins the meeting, stating they have gotten through Article 5 and hopes tonight to get through articles 6-10 which are districts and zones

- Article 6 – Lewis Center Village
 - Set up as an overlay which will keep the base district of FR-1 but have an overlay available for use if requested
 - Lots are much smaller than the current zoning of FR-1 allows, overlay will have smaller setbacks
 - ZC will hear overlay applications for the Lewis Center Village and approve or deny
 - Would like to propose Village of Lewis Center overlay be broke up into 2 sub sections; one along Lewis Center Road to allow the commercial uses there, and the other to be the residential area that would focus on the rest of the village
- Article 7 – Farm Residential
 - Development standards alter, lot size and setbacks decreasing
 - Proposing religious institutions be permitted without a conditional use
- Article 8 – Campus Institutional
 - After brief discussion it was decided this article was not needed as we are not automatically rezoning properties when the draft is finalized and adopted
- Article 9 – Community Living
 - Designed for multi-family; building height proposed at 40' at highest point of the roofline
 - Consensus among the zoning commission was to allow 35' high with 8 units per acre density
- Article 10 – Planned Unit Development
 - Allows for flexibility when someone has a plan that doesn't fit in the straight districts
 - Need to look at permitted uses language
 - Need to look at approval language

Ms. Donnan

- When talking about the Village of Lewis Center, states from a legal perspective with nonconforming lots, even without this overlay, if someone were to buy one lot they would not necessarily be

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD MARCH 18, 2025
ORANGE TOWNSHIP - DELAWARE COUNTY**

prevented to build, because Ohio law does not favor rendering someone's property useless. There are other considerations, addressed elsewhere, such as leach fields that would need to be able to fit on the lot and storm water drainage.

Ms. Boni

- States the Zoning Commission will hear overlay applications for the Village of Lewis Center; these applications would not go on to the Board of Trustees

Board Comments:

Ms. Trebellas:

- Asks on average how wide are the lots in the Village of Lewis Center
 - Ms. Boni shows the measurement from the auditors site showing a lot approximately 35' wide
- This area is still affordable, would like to keep the opportunity to buy an affordable house or lot to build an affordable house open to people, while still keeping the historic character
- Asks in the case of Village of Lewis Center, where there are multiple lots with the same owner and structures being built across property lines, why were these lots never combined into one lot
 - Ms. Donnan replies she thinks it is odd but believes it may be a matter of the age of the Village. Goes on to say the property owners could contact the auditor's office to go through the process of getting their lots combined
- Would strongly encourage anything we can do in this overlay to maintain the character of the village
 - Ms. Donnan states overlays can include a divergence process you can prohibit any divergences, you can limit the types of divergences by stating a divergence for specific items, such as height cannot be requested.
- Says she would like to go through permitted and conditional uses again once revisions are made
 - Mr. Duffee replies when the Village of Lewis Center was first rewritten, it was as a straight district, not as an overlay, there cannot be conditional uses in an overlay
- Wonders what the Health Department requires as a minimum lot size to be on septic
 - Mr. Duffee states to his knowledge there is no minimum size as long as it can fit the dwelling and a septic system
 - Ms. Boni says she will look into it
- Asks for clarification as to if setbacks apply to FR-1 parcels on 5 acres or more
 - Mr. Duffee clarifies that the township does not have the ability to regulate agricultural buildings on lots larger than 5 acres; that does not mean it is necessarily prohibited on lots smaller than 5 acres
 - Ms. Donnan further clarifies if you want to put a residence on a 5 acre lot, that is not exempt from zoning. The agricultural building/use is the key to the agriculture exemption
- States private garage needs clarified
- States kennels should be on limited basis, right now the use table shows they are not permitted in Farm Residential
 - Ms. Boni says kennels can be considered an ag use now
 - Ms. Donnan adds there is case law stating kennels are an agriculture use; they have a note to rework kennels on the use table

Mr. McNulty:

- States it looks like the population of the village has decreased
 - Mr. McCoy states in the last 22 years there has been 1 new build in the village

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD MARCH 18, 2025
ORANGE TOWNSHIP - DELAWARE COUNTY**

- Wonders what the long term effects of Evans Farm and also the traffic from the ball field will be on the Village of Lewis Center
- Asks what restrictions can be written into the code for structures in the Village of Lewis Center
 - Ms. Boni says something the board could consider is having a larger setback for the primary residence and that having a smaller setback for accessory structures
- Asks if someone can come in and request to use the Lewis Center overlay somewhere else
 - Mr. Duffee answers no, it is geographically targeted. There is a map showing the parcels it can be applied to
 - Ms. Donnan goes on to say the reason staff decided on an overlay rather than a straight district is to keep someone from asking to rezone a property outside of historic Lewis Center to the Village zoning.
- Asks if we regulate kennels at all, if they are considered an agriculture use
 - Ms. Donnan replies if it is a lot over 5 acres, kennels are considered animal husbandry and the township cannot regulate the use or the structures for that use

Mr. Pierce

- Asks if multiple lots are owned by one person in the Village of Lewis Center
 - Mr. Duffee replies in general most owners own more than one lot
- Asks if a person already owns multiple lots and there are ways they build on....
 - Mr. Duffee replies what we are trying to do is make the process a little more streamlined for the property owners rather than going through the variance process. That's why we proposed this as an overlay, it still requires a public hearing where they need to come before a board, and neighbors are notified of the public hearing
- Asks about the Village of Lewis Center's history and what makes it historical
 - Ms. Trebellas says architecturally, there is nothing that stands out as historical but culturally as a small railroad town it has some history
- Wonders if commercial buildings are allowed to go to 50' high, why are we limiting community living to 40' high
 - Ms. Boni states our trend right now with multi-family puts height and density as the 2 biggest issues.
 - Ms. Trebellas says these buildings are generally 3 stories, once you hit 4 stories you have to have a separation. You would need to be 50' high to have 4 stories. She goes on to say our current code is 35' high for multi-family, suggests leaving it 35' high but increasing the maximum density from 4 to 8
 - Mr. Duffee adds that this is a straight zoning district, if someone wants to build a 50' high multi-family building they can do it through the planned unit development
- Asks knowing that we're not getting anymore land, and people want to move here, what's our challenge in having additional floors
 - Ms. Boni replies that if the commission believes the township needs higher buildings and more density, this is the group to recommend it and the trustees can consider their recommendation. She goes on to say a lot of what we are planning for here, isn't for development in the next couple years, it's for the next 10 plus years when redevelopment occurs
 - Mr. McNulty says looking at it practically, he is against raising the height of multi-family
 - Ms. Trebellas says she would not want higher buildings under multi-family but would permit it under mixed use.

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD MARCH 18, 2025
ORANGE TOWNSHIP - DELAWARE COUNTY**

Public Comments:

Nick McCoy, 1201 Franklin Street

- States most lots are 35' wide with the smallest lot in the Village of Lewis Center being 35' wide by 108' deep.
- Agrees that the present FR-1 zoning makes it impossible to build any structure on these lots. He likes the idea that if you own 2 or more lots in the village, there would be no setback for your contiguous lots. His concern is in the proposed smaller setbacks allowing an individual with several lots to build a row of small townhouses that are not complementary to or consistent with what is already in the village.
- Presently there is no sewage in the village
- Village of Lewis Center is one of the oldest settlements in the township, states he would like to see it and its uniqueness protected
- Demographics are changing, younger families with children are moving in

Mark Freeman, 478 Glenside Lane

- Wonders about the notification process and if that could be a more rigorous process to notify adjacent property owners
 - Ms. Boni replies that the notification process is a state legislature process and as far as expanding this any further, that is up to the state to change the public notification within zoning hearings.

MOTION TO CONTINUE ZON-24-05, ZONING CODE REWRITE

Motion by Pierce

Second by Foster

VOTE: McNulty - Yes, Trebellas - Yes, Pierce - Yes, Foster – Yes, Sundar - Yes
ZON-24-05, Continued to April 1, 2025, 6:30PM

Meeting adjourned