

MIAMI TOWNSHIP
OFFICE OF COMMUNITY DEVELOPMENT

TO: Miami Township Zoning Commission
FROM: Brian Elliff, Planning & Zoning Administrator
DATE: February 23, 2023
SUBJECT: Zoning Case #586, zoning correction for residential parcels

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.

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 contained in the attached memo dated February 3, 2023 from Township Planner Jamie Kreindler. Also, provided separately is a PDF-power point showing graphically the identified parcels.

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.

At its March 2, 2023 meeting, the Zoning Commission is requested to set Case #586 for hearing at its regularly scheduled meeting on April 6, 2023 at 7:00 p.m.

Attachment:

- February 23, 2023 Memorandum, Proposed Business to Residential Zoning Corrections

Provided Separately:

- Board of Trustee Resolution 2023-07
- PDF power point

ATTACHMENT

TO: Brian Elliff, Planning & Zoning Administrator
FROM: Jamie Kreindler, Township Planner
DATE: February 3, 2023
SUBJECT: Proposed Business to Residential Zoning Corrections

Per our previous discussions, 4 focus areas with 31 total parcels have been identified to correct the zoning district from business to residential.

Using data from the County and Township and GIS mapping tools, we looked at residential classified parcels currently located in business zoned districts and then evaluated on a case-by-case basis if a zone change may be appropriate.

Here is a summary of our findings:

- 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 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 table and map on the next page summarize the findings described above.

ATTACHMENT

Focus Area	Location	Current Zoning	Proposed Zoning	# of Parcels
1	State Route 28 Barre Road	B-2	R-2	3
2	Buckwheat Road Hunt Club & Whitegate	B-1	R-2	19
3	SR 131 West Autumn Wynd Lane	B-2	R-3	3
4	SR 131 East Mt Vernon, Berkshire	B-1	R-1	6
Total # of Parcels				31

