

TO: Fairfield County Regional Planning Commission

FROM: Holly R. Mattei, AICP
Interim Director

DATE: May 1, 2024

SUBJECT: Meeting Notice and Agenda

There will be a meeting of the Fairfield County Regional Planning Commission on **Tuesday, May 7, 2024, at 6:00 p.m.** The meeting will be held at the Fairfield County Records Center, 138 West Chestnut Street, Lancaster, Ohio. Please be aware that members must be physically present at the meeting to vote. If you would rather attend remotely, please utilize the links below:

Join on your computer, mobile app or room device:

[Click here to join the meeting](#)

Meeting ID: 272 173 827 586

Passcode: aDxSfN

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Or call in (audio only)

[+1 917-809-8575,,85445372#](#) United States, New York City

[+1 872-704-2343,,85445372#](#) United States, Chicago

Phone Conference ID: 854 453 72#

The tentative agenda will be as follows:

1. Approval of Minutes – March 5, 2024
2. President’s Report
3. Subdivision Activity
Fairfield Career Center New Lab – Preliminary Plan
Greenfield Township
4. Zoning Text Amendment
 - a) Greenfield Township – Section 415.03 Breezeways and Accessory Structures
 - b) Rushcreek Township – Cemeteries (CEM) Zoning District

Holly R. Mattei, AICP
Interim Director

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5. Building Department Applications Under Review for Building Permits
6. Bills
7. Other Business
8. Adjourn

MINUTES

March 5, 2024

The minutes of the Regional Planning Commission meeting held at the Fairfield County Workforce Center, 4465 Coonpath Rd NW, Carroll, Ohio, and via livestream and conference call.

Presiding: Jennifer Morgan, President

Present: Josh Anders, Ron Baker, Scott Barr, Jeff Barron, Ron Beltzer, Todd Cooper, Aundrea Cordle, Beth Cottrell, Dave Cutain, Anne Cyphert, Joe Ebel, Karl Elder, Gail Ellinger, Amanda Everitt, Jane Harf, Ralph Hedrick, Jennifer Henery, Charles Hockman, Kent Huston, Cathy Jerric, Lonnie Kosch, Jarrod Mahaffey, Darrin Monhollen, Carol Moore, Paul Neeley, Vince Papsidero, Jeff Porter, Sherry Pymmer, Michael Scarmack, Dan Singer, Carly Sparrow, Jerry Starner, Beverly Sturn, Rick Szabrak, Jeremiah Upp, Ira Weiss, Rod Williams, Curtis Witham and Commissioner Jeff Fix.

RPC Staff: Holly Mattei, Safa Saleh, Josh Hillberry, and Sharlene Bails.

ITEM 1. MINUTES

The minutes of the February 6, 2024, Fairfield County Regional Planning Commission meeting, were presented for approval. Dan Singer made a motion for approval of the minutes. Kent Huston seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Jennifer Morgan welcomed everyone to the meeting.

ITEM 3. 2024 FAIRFIELD COUNTY COMPREHENSIVE PLAN

A video from Commissioner Fix was viewed at the meeting. Commissioner Fix went into detail about the plan review process and how the plan has evolved to date. There was a public hearing held by the Regional Planning Commission in September 2023 and 26 other meetings were held at the townships and villages. The video featured several township/village officials who explained what they are facing and how the new plan would impact their population.

Vince Papsidero from Planning Next gave a presentation on the updates to the Fairfield County 2024 Comprehensive Plan. He explained how growth was inward focused in the cities and villages within the county. He presented an overall summary of the plan changes from the original draft.

Amanda Everitt made a motion to adopt the 2024 Fairfield County Comprehensive Plan. Gail Ellinger seconded. The motion passed with Ron Baker, Ralph Hedrick, Jennifer Henery, and Jarrod Mahaffey voting no.

ITEM 4. SUBDIVISION ACTIVITY

Holly Mattei presented the following report:

SUBDIVISION: Magnolia Reserve – Preliminary Plan Extension

OWNER: Vera E. Shoaf, Trustee

DEVELOPER: Principle Real Estate Development, LLC

ENGINEER: Advanced Civil Design, Inc.

LOCATION AND DESCRIPTION: The Magnolia Reserve subdivision is located in Violet Township on the west side of Pickerington Road across from Deer Run between Blacklick Eastern Road (SR 204) and Refugee Road. The Preliminary Plan for this subdivision was approved by the Regional Planning Commission on April 6, 2021 and includes 33 single-family lots on 33.311 acres. The applicant requested a one year extension of the preliminary plan, which was granted in January 2023 to take Preliminary Plan approval through April 6, 2024. The applicant is requesting another one-year extension, which would take Preliminary Plan approval through April 6, 2025.

RPC STAFF RECOMMENDATION: RPC staff is recommending approval of the one-year extension taking Preliminary Plan approval to April 6, 2025.

A motion was made by Carol Moore to approve the RPC staff recommendation. Charles Hockman seconded the motion. The motion passed with Darrin Monhollen abstaining.

ITEM 5. ZONING TEXT AMENDMENT

APPLICANT: Rushcreek Township

PROPOSED REVISIONS:

Rushcreek Township has proposed an amendment to its Zoning Resolution to reduce the minimum livable floor area allowed for Building Size (10.1.A) and increase the square footage allowed for Accessory Structures (10.3.A).

ANALYSIS:

10.1 BUILDING SIZE, LOT AREA, YARD REQUIREMENTS, AND HEIGHT LIMITS

- Under Article X, General Development Standards: The minimum livable floor area for any single-family dwelling, manufactured home, or permanently sited manufactured home, will be reduced from 1,150 square feet to 650 square feet. (pg. 57)

10.3 ACCESSORY STRUCTURES

- 10.3.A.3: The cumulative area for accessory structures will be increased from two thousand six hundred (2,600) square feet to three thousand two hundred (3,200) square feet.
- 10.3.A.5: “No single accessory structure shall exceed the ground floor area of the principal structure” text will be deleted. This section will now read: “No accessory structure shall be located closer than ten (10) feet to the principal structure or other accessory structure on the same lot.”
- 10.3.A.7: Accessory structures, larger than one hundred (100) square feet, shall be placed on a permanent foundation. The square footage will increase from one hundred (100) square feet to three hundred (300) square feet.

STAFF COMMENTS:

RPC Staff has no comments on the proposed text amendments.

STAFF RECOMMENDATIONS:

RPC Staff recommends approval of the proposed text amendments to Rushcreek Townships Zoning Text Resolution.

A motion was made by Commissioner Fix to approve the RPC staff recommendation. Jeff Porter seconded the motion. Gail Ellinger asked why the reduction in the minimum was proposed and Charles Hockman responded. The motion passed with Charles Hockman abstaining.

ITEM 6. ELECTION OF OFFICERS

Slate of Officers:

President

- Jennifer Morgan

Vice-President

- Ira Weiss

Second Vice-President

- Doug Ingram

Secretary

- Kent Huston

Recommendations for Executive Committee Members:

- Doug Ingram (Second Vice-President*)
- Jennifer Morgan (President*)
- Kent Huston (Secretary*)
- Todd Edwards (Retail Merchant)
- Ira Weiss (Vice-President*)
- Darrin Monhollen (Violet Township)
- Jeff Porter (At Large)

*If elected as officer would automatically be a member of the Executive Committee

The recommendations for the slate of officers and the Executive Committee were presented for review by the board members. Shawn Haughn is no longer able to serve on the Executive Committee. Jennifer Morgan asked if anyone was interested in filling this position. Darrin Monhollen stated Lori Sanders was interested and Gail Ellinger stated she would like to serve as well.

Commissioner Fix made a motion to approve the slate of officers and the Executive Committee members, adding Gail Ellinger to the Executive Committee. Dan Singer seconded the motion. Motion passed.

ITEM 5. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS

RPC staff presented a list of building permit applications under review. Rick Szabrak gave an update on the upcoming renovations to the Fairfield County Workforce Center.

ITEM 6. BILLS

Holly Mattei presented the following bills for payment:

530000	Contractual Services	<u>\$11,000.00</u>
	TOTAL	\$11,000.00

A motion was made by Gail Ellinger to approve the bills for payment. Darrin Monhollen seconded the motion. Motion passed.

ITEM 7. OTHER BUSINESS

Holly Mattei thanked Innerphase Video Productions for providing their services for the meeting tonight.

Holly Mattei said the Commissioners have agreed to provide the model zoning code at no cost to the townships and villages.

There being no further business, a motion was made to adjourn the meeting by Commissioner Fix and seconded by Jarrod Mahaffey. Motion passed.

Minutes Approved By:

Jennifer Morgan, President

Kent Huston, Secretary

SUBDIVISION: Eastland Career Center, New Lab Building – Preliminary Plan

OWNER/DEVELOPER: Eastland Board of Education (JB Dick)

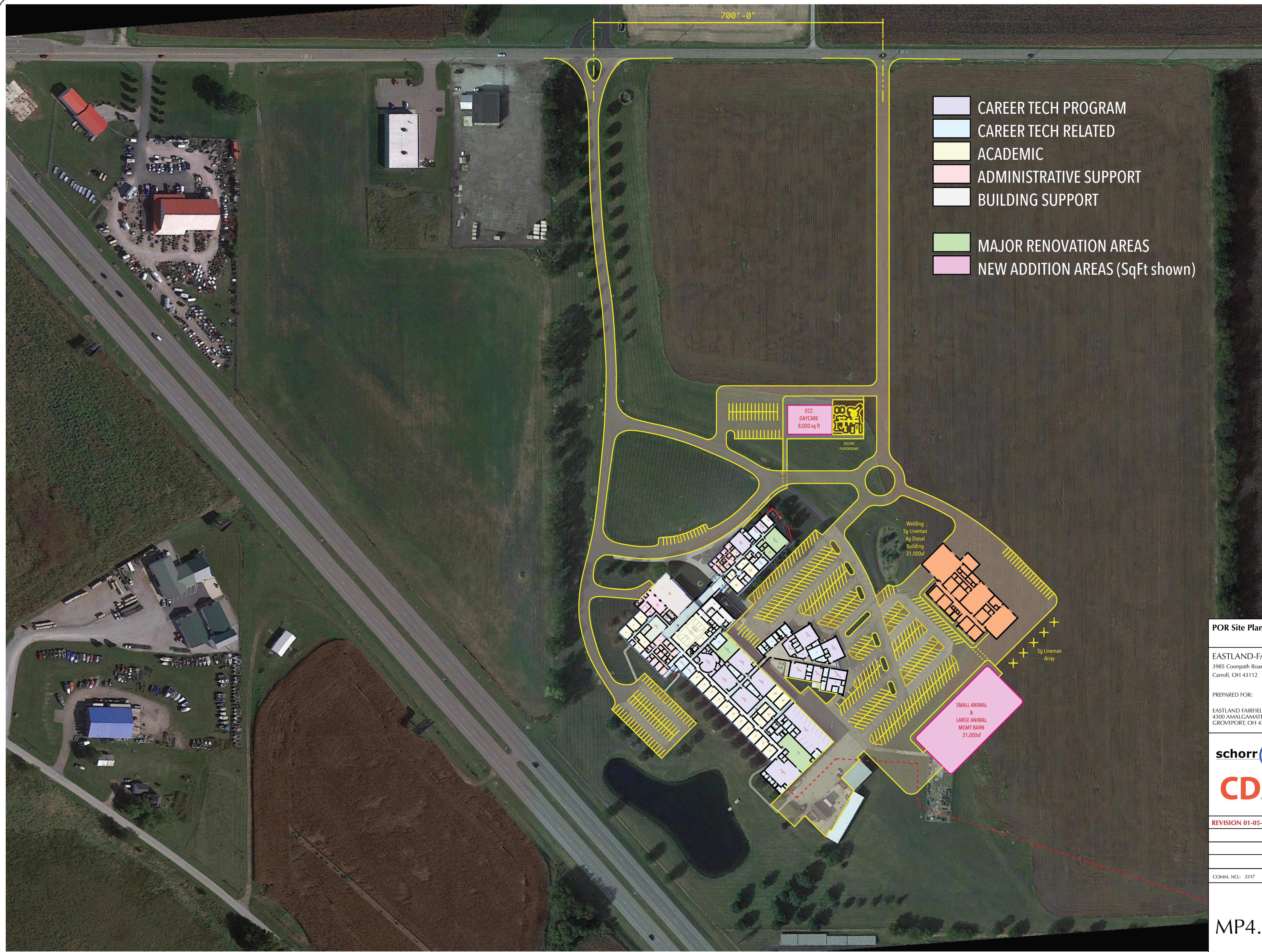
ENGINEER/SURVEYOR: Sands Decker (Glenn Decker) / Sands Decker (Kevin Beechy)

DATE: Monday, April 29, 2024

LOCATION AND DESCRIPTION: The proposed development is located along the South side of Coonpath Road in Greenfield Township. This site will contain 78.19 acres and is zoned SU Special Use District within Greenfield Township zoning. Access is proposed from Coonpath Road. Water and sanitary sewers will be provided by County Utilities.

SUBDIVISION REGULATIONS COMMITTEE COMMENTS:

1. This proposed lab is being funded through State of Ohio ARPA funds that have a specific deadline for completing work. The Fairfield County Engineers' and Commissioners' office are discussing a potential Cooperative Agreement (Agreement) to allow the turn lanes to be constructed at a later date. The Subdivision Regulations Committee agrees with this concept and recommends the preliminary plan be conditionally approved subject to the Agreement being finalized in accordance with the County Engineers and Prosecutors requirements.
2. Although the Daycare Center building is not included in the preliminary plan, the Subdivision Regulations Committee recommends platting the entire property now in anticipation of its future construction.
3. The committee recommends removing (or blocking off) the existing driveway following the construction of the new driveway proposed in the preliminary plan.
4. The Subdivision Regulations Committee recommend conditional approval of the preliminary plan subject to the requirements of:
 - a. Technical Review Committee
 - b. Fairfield County Engineers' Office
 - c. Fairfield County Utilities
 - d. Fairfield Soil and Water Conservation District
 - e. Fairfield County Health Department
 - f. Greenfield Township Zoning
 - g. Hunter's Run Conservancy



- CAREER TECH PROGRAM
- CAREER TECH RELATED
- ACADEMIC
- ADMINISTRATIVE SUPPORT
- BUILDING SUPPORT

- MAJOR RENOVATION AREAS
- NEW ADDITION AREAS (SqFt shown)

POR Site Plan

EASTLAND-FAIRFIELD CTC
 3985 Coonpath Road NW
 Carroll, OH 43112

PREPARED FOR:
 EASTLAND FAIRFIELD CTC
 4300 AMALGAMATED RD
 GROVEPORT, OH 43125

schorr architects inc.
CDA COMMUNITY DESIGN ALLIANCE

REVISION 01-05-2024

COMM. NO.: 2247

MP4.0

SIGNED _____ DATE _____

Greenfield Township Zoning Resolution Amendment

APPLICANT: Greenfield Township

PROPOSED REVISIONS:

Greenfield Township has proposed an amendment to its Zoning Resolution to expand the 'Accessory Structures' section (415.03) to include requirements for Breezeways. Additionally, the proposed amendment breaks down Accessory Structures into two categories: Permanent and Temporary Accessory Structures. Permanent Accessory Structures are then further divided into three forms; Attached, Connected, and Detached Accessory Structures. Definitions and requirements for Breezeways and all the Accessory Structure types have also been included in the proposed amendment.

ANALYSIS:

415.03 Breezeways and Accessory Structures on Residential Parcels

Breezeway

A roofed, open sided, non-habitable space connecting a Principal Structure and a Permanent Accessory Structure. *(Only permitted for connecting a Principle Structure to a Connected Accessory Structure).*

Permanent Accessory Structure

A garage, shed, out building, pole barn, or other accessory use structure that is in addition to the Principal Structure.

Attached Accessory Structure

A garage or other accessory use structure that is physically constructed as part of the principal structure by sharing at least seventy-five (75) percent of one (1) wall of either the principal structure or that of the garage/accessory structure.

Connected Accessory Structure

A garage or other accessory structure that is connected to the Principal Structure by less than seventy-five (75) percent of a wall of one (1) or both structures.

Detached Accessory Structure

A free-standing garage, shed, out building, pole barn, or other accessory use structure that has no physical connection to the Principal Structure.

Temporary Accessory Structure

Defined as a detached accessory use structure that is intended for use only for a limited duration *(no more than ninety (90) days).*

STAFF COMMENTS:

- The definition of a Breezeway and the definitions for each Accessory Structure type should be added to the Definitions (Section 105).
- Under Temporary Accessory Structure (Section 415.03.D.d), the fifth (v) requirement, which reads as follows:

“Shall be subject to all applicable zoning laws and required permits of the Greenfield Township Zoning Department if the temporary accessory structure is being used for use as a habitable structure. If modified with interior and exterior finishes, doors, windows, plumbing, or electrical fixtures, compliance with either the Ohio Building Code (OBC) or Residential Code of Ohio (RCO) is required regardless of the intended usage.”

RPC staff recommends that this language be removed for the following reasons:

- RPC staff has concerns with temporary structures being used as habitable structures; and
- Fairfield County has not adopted the Residential Code of Ohio. RPC staff does not believe Greenfield Township has taken the necessary steps to adopt the Residential Code of Ohio. Therefore, we are unsure how this section would be enforced. Fairfield County has adopted the Ohio Building Code (OBC) for commercial structures, but the OBC is administered by the Fairfield County Building Code.

STAFF RECOMMENDATIONS:

Based upon the above comments, RPC Staff recommends modification of the proposed text amendments to Greenfield Township’s Zoning Text Resolution.

Greenfield Township

Zoning Resolution Text Amendments

Outline of Proposed Amendments

415.03 Breezeways and Accessory Structures on Residential Parcels

The proposed text amendment will expand the current 'Accessory Structures' section (415.03) to include requirements for Breezeways. Additionally, the proposed amendment breaks down Accessory Structures into two categories: Permanent and Temporary Accessory Structures. Permanent Accessory Structures are then further divided into three forms; Attached, Connected, and Detached Accessory Structures. Definitions and requirements for Breezeways and all of the Accessory Structures types have also been included in the proposed amendment.

Accessory Structures:

- **Breezeway**

A roofed, open sided, non-habitable space connecting a Principal Structure and a Permanent Accessory Structure.

- Only permitted for connecting a Principle Structure to a Connected Accessory Structure.

- **Permanent Accessory Structure**

A garage, shed, out building, pole barn, or other accessory use structure that is in addition to the Principal Structure.

- a. Attached Accessory Structure**

A garage or other accessory use structure that is physically constructed as part of the principal structure by sharing at least seventy-five (75) percent of one (1) wall of either the principal structure or that of the garage/accessory structure.

- b. Connected Accessory Structure**

A garage or other accessory structure that is connected to the Principal Structure by less than seventy-five (75) percent of a wall of one (1) or both structures.

- c. Detached Accessory Structure**

A free-standing garage, shed, out building, pole barn, or other accessory use structure that has no physical connection to the Principal Structure.

- **Temporary Accessory Structure**

Defined as a detached accessory use structure that is intended for use only for a limited duration (no more than ninety (90) days).

Comments:

- The definition of a Breezeway and the definitions for each Accessory Structure type should be added to the Definitions (Section 105).
- Under Temporary Accessory Structure (Section 415.03.D.d), the fifth (v) requirement states:

“Shall be subject to all applicable zoning laws and required permits of the Greenfield Township Zoning Department if the temporary accessory structure is being used for use as a habitable structure. If modified with interior and exterior finishes, doors, windows, plumbing, or electrical fixtures, compliance with either the Ohio Building Code (OBC) or Residential Code of Ohio (RCO) is required regardless of the intended usage.”

The habitable structure component of this requirement should be removed from the text. Temporary Accessory Structures should not be used for habitation. The Section should only state:

“If modified with interior and exterior finishes, doors, windows, plumbing, or electrical fixtures, compliance with either the Ohio Building Code (OBC) or Residential Code of Ohio (RCO) is required regardless of the intended usage.”

415.03 Breezeways and Accessory Structures on Residential Parcels

A. Residential Accessory Structures Not Requiring a Permit

One (1) single detached accessory structure not exceeding one hundred forty-four (144) square feet in area may be erected on any residential lot without a Zoning Certificate, provided such structure is located to the rear of the principal structure, and no closer to any property line than the setbacks required for the residential Zoning District in which the structure is located. All other accessory structure(s) must meet the following requirements:

B. General Requirements of Permitted Residential Accessory Structures

1. A Zoning Certificate shall be required prior to the erection, addition, or alteration of an accessory structure or use on any lot.
2. Location and Setbacks: All new accessory structures or additions to existing accessory structures shall meet all setback requirements for the applicable Zoning District in which the structure resides.
3. Prohibited Uses: No commercial uses shall be conducted within an accessory structure unless otherwise approved as part of a permitted Limited or Expanded Home Occupation, defined by Section 415.02, an approved conditional use permit, or commercial/industrial zoning request.

C. **Breezeway** is defined as a roofed, open sided, non-habitable space connecting a Principal Structure and a Permanent Accessory Structure. Additional requirements to be classified as a "Breezeway" are as follows:

1. Shall not be considered part of the Principal Structure.
2. Shall only be used to connect a Principal Structure to a "Connected Accessory Structure" as defined in this division.
3. Shall not exceed a 2:1 ratio as it relates to length versus width of the structure, with a maximum being ten (10) feet by five (5) feet.
4. Shall be located only in the side or rear yard. The setbacks and lot coverage regulations of the Principal Structure shall be maintained.
5. Shall have the same roof pitch as the Principal Structure.
6. Shall not exceed the maximum roof line height of the Principal Structure.
7. Shall have at least six (6) inches of overhang.

8. Shall conform to the existing construction and building materials of the existing Principal Structure.

D. **Permanent Accessory Structure** is defined as a garage, shed, out building, pole barn, or other accessory use structure that is in addition to the Principal Structure. Permanent Accessory structures can be attached, connected, or detached as defined in this division. Additional requirements to be classified as a "Permanent Accessory Structure" are as follows:

1. Shall not be considered part of the Principal Structure.
2. Shall have a permanent concrete slab foundation.
3. Shall be a non-habitable space.
4. Shall be located only in the side or rear yard. The setbacks and lot coverage regulations of the Principal Structure shall be maintained.
5. Shall have the same roof pitch as the Principal Structure.
6. Shall not exceed the maximum roof line height of the Principal Structure.
 - a. **Attached Accessory Structure** is defined as being a garage or other accessory use structure that is physically constructed as part of the principal structure by sharing at least seventy-five (75) percent of one (1) wall of either the principal structure or that of the garage/accessory structure. Additional requirements to be classified as an "Attached Accessory Structure" are as follows:
 - i. Shall be located only in the side or rear yard. The setbacks and lot coverage regulations of the Principal Structure shall be maintained.
 - ii. Shall have the same roof pitch as the Principal Structure.
 - iii. Shall not exceed the maximum roof line height of the Principal Structure.
 - iv. Shall not exceed four thousand (4,000) square feet or an area dimension that is seventy-five (75) percent of the footprint (ground floor) dimension of the Principal Structure, whichever is greater.
 - v. Shall have at least six (6) inches of overhang.
 - b. **Connected Accessory Structure** is defined as a garage or other accessory structure that is connected to the Principal Structure by less than seventy-five (75)

percent of a wall of one (1) or both structures. Such connections may be made with a "Breezeway" as defined in this division. Additional requirements for a "Connected Accessory Structure" are as follows:

- i. Shall not exceed ten (10) feet from the Principal Building's foundation, when connected by a "Breezeway".
- ii. Shall be located only in the side or rear yard. The setbacks and lot coverage regulations of the Principal Structure shall be maintained.
- iii. Shall not exceed a maximum height of seventeen (17) feet, or seventy-five (75) percent of the height of the home, whichever is greater.
- iv. Shall have the same roof pitch as the Principal Structure.
- v. Shall not exceed one thousand two hundred (1,200) square feet or an area dimension that is seventy-five (75) percent of the footprint (ground floor) dimension of the Principal Structure, whichever is greater.
- vi. Shall require one (1) additional foot of side setback for every foot of height over seventeen (17) feet.
- vii. Shall have at least six (6) inches of overhang.

c. **Detached Accessory Structure** is defined as a free-standing garage, shed, out building, pole barn, or other accessory use structure that has no physical connection to the Principal Structure. Additional requirements for a "Detached Accessory Structure" are as follows:

- i. Shall not be constructed or located on a vacant lot.
- ii. Shall be a minimum distance of ten (10) feet between the new accessory structure and any other structure, whether principal or accessory. Measurements are to be made from roof overhangs.
- iii. Shall be located only in the side or rear yard. The setbacks and lot coverage regulations of the Principal Structure shall be maintained. Shall have at least the same Front Yard Setback as the primary residence.
- iv. Shall not exceed a maximum height of twenty (20) feet, or seventy-five (75) percent of the height of the home, whichever is greater.

- v. Shall require one (1) additional foot of side setback for every foot of height over seventeen (17) feet.
 - vi. The total area shall not exceed two percent (2%) of the area of the lot on which the structure or use is located, or a maximum of four thousand (4,000) square feet, whichever is smaller. These area requirements shall not apply to lakes and ponds. Aggregate 2% of the total area of the lot is calculated by first multiplying the lot acreage listed on the Fairfield County Auditor's Property Record Card times 43,560 to convert the lot area to square feet. The lot area in square feet is then multiplied by 0.02 to determine the aggregate 2% of the total area in square feet.
 - vii. Shall have at least one (1) foot of overhang on each side of any Detached Accessory Structure over six hundred (600) square feet.
- d. **Temporary Accessory Structure** is defined as a detached accessory use structure that is intended for use only for a limited duration. Additional requirements to be classified as a "Temporary Accessory Structure" are as follows:
- i. Shall not have a permanent foundation.
 - ii. Shall not be connected to any other structure, whether principal or accessory.
 - iii. Shall not be present for more than ninety (90) days at a time and only one per calendar year.
 - iv. Shall be located a minimum of fifteen (15) feet from any road right of way line and fifteen (15) feet from a side or rear property line.
 - ~~v. Shall be subject to all applicable zoning laws and required permits of the Greenfield Township Zoning Department if the temporary accessory structure is being used for use as a habitable structure. If modified with interior and exterior finishes, doors, windows, plumbing, or electrical fixtures, compliance with either the Ohio Building Code (OBC) or Residential Code of Ohio (RCO) is required regardless of the intended usage.~~
 - vi. Shall meet all setback requirements as outlined in Greenfield Township Zoning Code for Residential Accessory Structures.

Section 415 - ACCESSORY USES AND STRUCTURES

Accessory Uses and Structures shall meet the standards and requirements of the applicable Zoning District and the requirements of this section.

415.01 Accessory Uses and Structures Defined

As used herein the term "Accessory Uses or Structures" means either a use or an object, building or structure applied, constructed or installed on, above or below the surface of a lot, which is located on the same lot as a principal use, building, or structure, and which meets the following:

1. Accessory Buildings or Uses are subordinate to or services the principal use, building, or structure.
2. Accessory Buildings or Uses are subordinate in area to the principal use, building, object, or structure.
3. Accessory Buildings or Uses are customarily incidental to the principal use, building, object, or structure.
4. Accessory Buildings or Uses includes anything of a subordinate nature detached from, a principal structure or use.
5. Except as otherwise regulated elsewhere in this Code, an Accessory Use shall be a permitted use, or an approved Conditional Use within the district.
6. Detached garages, sheds, gazebos or other similar structures or detached opened aired structures shall be classified as accessory structures and shall be governed by the regulations of this section.
7. For the purposes of this Code decks shall not be considered an accessory structure, however, all decks are required to meet the minimum setback requirements of the lot on which they are constructed and shall require the issuance of a Zoning Certificate prior to construction.
8. At-grade patios directly abutting a principal structure shall not be classified as accessory structures.

415.02 Home Occupations

The Greenfield Township Trustees recognize that home occupations are essential to creating a diverse economy, reducing long commuting times and supporting a sense of community. All permitted home occupations shall conform to the requirements of the individual Zoning District and the following requirements. Nothing in this section or Zoning Code shall prevent or restrict a resident from having a home office or working from home as a "satellite" employee when such home office has no additional

- c. The storing or stacking of customer vehicles outside of the approved accessory structure shall be entirely screened from view from neighboring residential properties.
7. No traffic shall be generated by such Limited Home Occupation in greater volumes than would normally be expected in a residential neighborhood.
8. Storage of materials and equipment in an Expanded Home Occupation shall be completely enclosed in a permitted accessory structure to the primary residence.

415.03 Accessory Structures

A. Residential Accessory Structures Permitted

One (1) single detached accessory structure not exceeding one hundred forty-four (144) square feet in area may be erected on any residential lot without a Zoning Certificate, provided such structure is located to the rear of the principal structure, and no closer to any property line than the setbacks required for the residential Zoning District in which the structure is located.

Accessory structure(s) must meet the following requirements:

1. Permitted Area and Height

The total area of all accessory uses or structures on a residential parcel shall not exceed two percent (2%) of the area of the lot on which the structure or use is located, or a maximum of four thousand (4,000) square feet, whichever is smaller. These area requirements shall not apply to lakes and ponds. An accessory structure shall not exceed the maximum height permitted in the residential Zoning District.

2. Location and Setbacks

All new accessory structures or additions to existing accessory structures shall meet all setback requirements for the applicable Zoning District in which the structure resides.

3. Prohibited Uses

No commercial uses shall be conducted within an accessory structure unless otherwise approved as part of a permitted Limited or Expanded Home Occupation, defined by Section 415.02, an approved conditional use permit, or commercial/industrial zoning request.

4. Zoning Certificate

A Zoning Certificate shall be required prior to the erection, addition, or alteration of an accessory structure or use on any lot.

Rushcreek Township Zoning Resolution Amendment

APPLICANT: Rushcreek Township

PROPOSED REVISIONS:

Rushcreek Township has proposed an amendment to its Zoning Resolution to add “Cemeteries (CEM)” as a new Zoning District, which would require a property owner to apply for a Zoning District change rather than a conditional use. Cemeteries were previously categorized as a Conditional Use under Section 11.5 (page 77). This revision will also separate ‘family cemeteries’ (for persons wanting to be buried on their own property) and ‘private cemeteries’ as two different cemetery types. The amendment will also include more details regarding fencing for ‘private cemeteries’.

ANALYSIS:

Cemeteries (CEM) Zoning District

- According to the information submitted by the township, cemeteries are a permanent place, they will now be classified as their own Zoning District. Cemeteries (CEM) will now be located under the Use Districts section (Section 9) and will be removed from the Conditional Uses section (Section 11).
- Cemeteries (CEM) will now require property owners to apply for a Zoning District change instead of a conditional use permit.

Private Cemeteries:

- Private Cemeteries will be included in the Cemeteries (CEM) Zoning District
- The current definition of ‘Cemeteries’, as defined in the Resolution (page 6) will apply to Private Cemeteries.
- The current conditions for ‘Cemeteries’, as described in the Resolution (Section 11.5, page 77) will apply to Private Cemeteries.
- Requirements regarding fencing will be added to the Conditions for Private Cemeteries.

Family Cemeteries:

- Family Cemeteries will also be included in the Cemeteries (CEM) Zoning District.
- Family Cemeteries will not be required to apply for a conditional use permit or change in Zoning District.
- Family Cemeteries will be defined as: *“a place of burials for any group of individuals linked by a common ancestry.”*
- Conditions for Family Cemeteries will be added. (See Outline for full list of Conditions for Family Cemeteries.)

STAFF COMMENTS:

1. Cemeteries (CEM) applications will now need to comply with Section 7.1 (Procedures for Amendment or District Changes) instead of Section 7.3 (Procedure and Requirements For Approval Of Conditional Uses). RPC staff believes maintaining private cemeteries as conditional uses is in line with best zoning practices. The township's letter indicates that the current conditions would continue to apply to cemeteries [in order for the rezoning to be approved]. This could be interpreted as contract zoning. While there is no law prohibiting contract zoning, there is case law that should be considered before making this adjustment. RPC staff recommends the township discuss this proposed amendment with legal counsel.
2. A definition for 'Family Cemeteries' will need to be added to the Definitions section of the Resolution. It should be noted in the definition that Family Cemeteries will not be required to apply for a conditional use permit or change in Zoning District
3. 'Cemeteries' will need to be changed to 'Private Cemeteries' in the Definitions section of the Resolution.
4. Since the township's letter indicates that Single Family Cemeteries will not require a conditional use permit or a district change, then Single Family Cemeteries should be listed as permitted uses in the applicable zoning districts.

STAFF RECOMMENDATIONS:

Based upon the above noted comments, RPC Staff recommends modification of the proposed text amendments to Rushcreek Townships Zoning Text Resolution.

Rushcreek Township

Zoning Resolution Text Amendments

Outline of Proposed Amendments

Private Cemeteries:

(Currently defined as:) Land used for or intended to be used for the burial of human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries, if operated in connection with and within the boundaries of the cemetery.

Current Conditions:

- A. The proposed cemetery shall be located on at least forty (40) acres and shall have direct access to a public road that is sufficient to handle the traffic generated by the cemetery. Existing cemeteries may be smaller than forty (40) acres.
- B. All buildings, including mausoleums, and all graves/burial lots shall be located no closer than one hundred (100) feet from any lot line.
- C. *Family cemeteries shall have a permanent fenced perimeter, with a minimum height of four (4') and maximum height of six (6') Must be constructed with either wood, woven wire, metal, vinyl, or chain link. Posts must be either treated wood or steel.*
- D. Sufficient evidence shall be provided to the Board of Zoning Appeals ensuring that the grounds will be properly maintained.
- E. Any other conditions as warranted by the Board of Zoning Appeals.

Family Cemeteries:

Family cemeteries are a place of burials for any group of individuals linked by a common ancestry. Family Cemeteries are not required to apply for a conditional use permit or change in Zoning District.

Conditions:

- A. Only the property owner and their family members are permitted to be buried in a Family Cemetery.
- B. A copy of the Burial Permit obtained by the County Health Department, must be given to the Zoning Inspector.
- C. A map of the graveyard must be supplied to the township Zoning Inspector and recorded with the deed that describes where it is on the property.
- D. A legal description of an easement to said graveyard must be supplied and recorded with the deed for access by township employees if needed.
- E. All structures and graves must be located no closer than twenty (20') feet from any property line.
- F. Burial sites must be at least two hundred (200') feet from any springs, streams, ponds, lakes, shorelines, and drinking water wells.

- G. Burial sites must be at least fifty (50') feet from any utility right of way.
- H. Burial sites must be at least fifty (50') from all structures.
- I. Graves must have at least four (4') of ground cover.
- J. Family cemeteries shall have a permanent fenced perimeter, with a minimum height of four (4') and maximum height of six (6') Must be constructed with either wood, woven wire, metal, vinyl, or chain link. Posts must be either treated wood or steel. *(This fence requirement will also be applied "Private Cemeteries" section)*
- K. All graves must have a permanent marker flush or above ground.

Rushcreek Township Zoning Commission

Date: March 25, 2024

FOR MAY RPC MEETING

To: Fairfield County Regional Planning

The purpose of this letter is to inform you the Rushcreek Zoning Commission is recommending text amendments to the Zoning Resolutions.

On page 77, 11.5 regarding cemeteries.

Because cemeteries are a permanent place, we are recommending that cemeteries need to apply for a Zoning District change rather than a conditional use. 11.5 Cemeteries, will be removed. A new zoning District will be added, CEM = Cemeteries. The current conditions will apply and more details regarding fencing will be added to “private cemeteries. “Family cemeteries” will be separate from “private”. This is needed for persons wanting to be buried on their own property.

New recommendations for “Family Cemeteries”:

Family cemeteries are a place of burials for any group of individuals linked by a common ancestry. Family Cemeteries are not required to apply for a conditional use or change in Zoning District.

a. Only the property owner and their family members are permitted to be buried in a Family Cemetery.

- b. A copy of the Burial Permit obtained by the County Health Department, must be given to the Zoning Inspector.
- c. A map of the graveyard must be supplied to the township Zoning Inspector and recorded with the deed that describes where it is on the property.
- d. A legal description of an easement to said graveyard must be supplied and recorded with the deed for access by township employees if needed.
- e. All structures and graves must be located no closer than twenty (20') feet from any property line.
- f. Burial sites must be at least two hundred (200') feet from any springs, streams, ponds, lakes, shorelines and drinking water wells.
- g. Burial sites must be at least fifty (50') feet from any utility right of ways.
- h. Burial sites must be at least fifty (50') from all structures.
- i. Graves must have at least four (4') of ground cover.
- j. Family cemeteries shall have a permanent fenced perimeter, with a minimum height of four (4') and maximum height of six (6') Must be constructed with either wood, woven wire, metal, vinyl or chain link. Posts must be either treated wood or steel. (This fence requirement will be in "Private Cemeteries" section also)
- k. All graves must have a permanent marker flush or above ground.

Please review and return a response as soon as possible.

Thank You.

David W. Foltz, Chairman

Rushcreek Township Zoning Commission.

Cc: Rushcreek Township Zoning Inspector.

Fairfield County Building Department Monthly Report - March/April 2024

Final Approved	Address	City/Village	Township	Cost Estimate	Date Received
Tim Hortons Wall Sign	2053 Horns Mill Rd.	Lancaster	Berne	15,300.00	11/27/23
Storage Building - Electric Service	2440 Old Logan Rd	Lancaster	Berne	5,873.09	02/16/24
Tim Hortons	2053 Horns Mill Rd.	Lancaster	Berne	850,000.00	04/04/24
New Applications	Address	City/Village	Township	Cost Estimate	Date Received
Pleasantville - Public Pool Restrooms Renov	312 West Columbus St	Pleasantville	Pleasant	50,000.00	02/27/24
Pleasantville - Pool Improvements	312 West Columbus St	Pleasantville	Pleasant	50,000.00	03/01/24
Otte Park - Concessions & Restroom Pavilion	292 Summit St	Pleasantville	Walnut	175,000.00	03/01/24
Self-Made Properties Improvements	132 Carter St	Bremen	Rushcreek	81,500.00	03/13/24
T-Mobile Equipment	9082 Salem Church Rd.	Canal Winchester	Bloom	10,000.00	03/22/24
REM Ohio Bickel Church - Fire Alarm System	370 Bickel Church Rd NE	Baltimore	Walnut	741.92	04/05/24

BILLS
REGIONAL PLANNING COMMISSION
May 7, 2024

530000	CONTRACTUAL SERVICES	
	Crossroads Community	\$11,000.00
	TOTAL	\$11,000.00