

MINUTES

January 3, 2017

The minutes of the Fairfield County Regional Planning Commission meeting held at the Fairfield County Courthouse, 210 E. Main Street, Third Floor, Lancaster, Ohio.

Presiding: Bill Yaple, President

Present: Betsy Alt, Zack DeLeon, Gail Ellinger, Jim Hochradel, Kent Huston, Doug Ingram, Lonnie Kosch, Harry Myers, Jason Smith, Mary Snider, John Snook, Phil Stringer, Ira Weiss, Jeffrey White, Dave Levacy (County Commissioner), Rick Szabrak (Fairfield County Economic Development Director) Holly Mattei (Executive Director), James Mako (Senior Planner), Loudan Klein (Planner), and Becky Coutinho (RPC Intern).

ITEM 1. MINUTES

The Minutes of the December 6, 2016 Fairfield County Regional Planning Commission meeting were presented for approval. Zack DeLeon made a motion for approval of the minutes. Jeff White seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Bill Yaple welcomed everyone to the meeting.

ITEM 3. PRESENTATION

Jon Kochis, Director of the Fairfield County Emergency Management Agency, discussed the Natural Hazard Mitigation Plan.

ITEM 4. SUBDIVISION ACTIVITIES

Loudan Klein presented the following report:

ITEM 4a. SUBDIVISION: Heron Crossing Section 2 - Variance Request to 1.4.1(B)

OWNER/DEVELOPER: MI Homes

SURVEYOR/ENGINEER: Watcon Engineering

LOCATION & DESCRIPTION: The developer is requesting a variance to Section 1.4.1(B) (Exempt Lot Split Frontage Requirement minimum of 60') to allow for no frontage as they split off the remaining land needed for the development of Section 2. This split will remove any road frontage for the remaining 28 acres of land at the rear of the property. To provide access, the developer has provided an access easement off the terminus of Herons Landing Drive within Section 1.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the variance request, subject to the conditions in the following report:

1. The deed for the 31 acres to be utilized for the Section 2 development must have tie language to the remaining property owned by M/I Homes north of the Section 1 boundary. That language should specify that these two parcels must be used in conjunction unless authorized the platting authority.
2. There must also be a deed for the access easement across M/I's property to H&G LLC for the access easement.
3. The variance must be revised to comply with the requirements of the Technical Review Committee, the Fairfield County Engineer's Office, the Fairfield County Utilities Department, the Fairfield Soil and Water Conservation District, Fairfield County GIS and Violet Township Zoning.

A motion was made by Ira Weiss to approve the Subdivision Regulations Committee recommendation. Phil Stringer seconded the motion. Motion passed with Harry Myers abstaining.

Loudan Klein presented the following report:

ITEM 4b. SUBDIVISION: Storage One Spring Creek Business Complex - Replat

OWNER/DEVELOPER: Storage One

SURVEYOR/ENGINEER: Tobin-McFarland

LOCATION & DESCRIPTION: Located in Violet Township at the southeastern corner of Milnor and Refugee Road. The purpose of this replat is to provide additional pedestrian easements for portions of the sidewalk along Refugee Road constructed outside of the right-of-way across the property line. In addition to new easements, the developer is looking to split the parcel into two lots, one with the existing storage units (Lot 1-A, 6.2 Acres) and one for future development (Lot 1-B, 2.1 Acres) with a cross access easement between parcels.

SUBDIVISION: Storage One Spring Creek Business Complex – Replat – Continued

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the Storage One Replat, subject to the conditions in the following report:

1. Paragraph 1 of the agreement should read “illustrated on the recorded Storage One/ Springcreek Business Complex Replat.”
2. The agreement should also refer to the actual lot number assigned on the replat.
3. Other agency comments.

A motion was made by Jason Smith to approve the Subdivision Regulations Committee recommendation. Jim Hochradel seconded the motion. Discussion followed on the maintenance of sidewalks. After discussion, a vote was taken and the motion passed with Harry Myers, Ira Weiss and Dave Levacy abstaining.

ITEM 5. PROPOSED ZONING AMENDMENTS

James Mako presented the following report:

ITEM 5a. Applicant: Berne Township

Proposed Revisions: Berne Township has submitted a list of text amendments to their zoning code. The amendments are on file at the RPC office, on the RPC website and summarized below:

1. Article II, DEFINITIONS. The township wishes to modify the following definitions:
 - a. Front Building Line
 - b. Corner Lot
 - c. Rear Lot Line
 - d. Manufactured Home
 - e. Front Yard
 - f. Zoning PermitAlso under Article II, the township wishes to add the following definitions:
 - a. Rear Building Line
 - b. Front Lot Line
 - c. Public Utility
 - d. Right of Way Line
 - e. Site Plan
2. Article IV, ENFORCEMENT AND PENALTY. The township wishes to remove Section 4.10.04 (Late Application) which assesses a late fee for late zoning certificate, conditional use certificate, variance, or zoning amendment applications.
3. Article IX- CONDITIONAL USES. Section 9.03 General Standards for Conditional Uses has been amended to read: The Board of Zoning Appeals shall not approve a conditional

Applicant: Berne Township - Continued

use unless it shall, in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location shall meet ~~all of~~ the following requirements A through E, or F:

In addition, text has been added to Section 9.03 (F) which allows a conditional use permit to be issued on the basis of an applicant having a disability as defined by the Americans with Disabilities Act.

4. Article XI- STANDARD ZONING DISTRICT REGULATIONS Text has been revised for submittal requirements when a development plan is required.
5. Article XIII- (RR) RURAL RESIDENTIAL DISTRICT. Section 13.03 (D) The township wishes to add Public Utilities as a permitted use in the RR (Rural Residential District). Section 13.05 (B) has been removed which allows individual manufactured homes as a conditional use in the RR District. Section 13.06.02 has been amended which adds additional requirements for lots in the RR District over 5.01 acres with 60 feet of road frontage. These lots must maintain a width of at least 60 feet until the lot width is 80 feet or more for at least another 110 feet. Section 13.06.08 has been added that establishes a minimum building setback of 25 feet from any property line.
6. ARTICLE XIV (LRR) LIMITED RURAL RESIDENTIAL DISTRICT Section 14.02, Permitted Uses, adds Public Utilities as a permitted use.
7. Article XV- (MH-R) MANUFACTURED HOME RESIDENTIAL DISTRICT Section 15.06.05 (A) Minimum Front Yard depth for any manufactured home community is changed from 35 feet to 110 feet. Section 15.06.05 (B) is added which establishes that the minimum front yard depth for any individual lot within a mobile home community shall be not less than thirty-five (35) feet. Section 15.06.05 (C) is amended to increase the minimum front yard depth for any other permitted use in the MH-R District from 25 feet to 35 feet.
8. Article XXVII ACCESSORY USES AND STRUCTURES. Under Section 27.02 (B) and (E) Home Occupations, the following language is deleted: No exterior activity, or storage of materials or equipment, shall be permitted. Not more than one (1) person, other than immediate family residing at the premises, shall be employed in such occupation. Section 27.03 (A), Accessory Structures is revised to read “A detached accessory use or structure shall ~~be located to the side or rear of the principal dwelling~~ not be located in the front yard and not closer to any side or rear lot line”. Section 27.03 (B) is amended that increases the allowable lot coverage of an accessory structure from 2 % to 5% of the total area of a lot and increases the allowable height of an accessory structure from 20 to 25 feet.
9. ARTICLE XXIX– SIGNS- Section 29.02 (B) under “definitions”, the definition of a billboard is amended to mean any off-premises sign that is more than 359 square feet in

Applicant: Berne Township – Continued

area. The current definition is an off-premises sign that is more than 200 square feet in area. The definition of a permanent sign is amended. Section 29.04, Prohibited Signs, deletes references to signs which move or give the illusion of movement, except for tri-vision billboards. Section 29.06 adds language which allows for larger sales signs in areas zoned General Business. Section 29.07 adds new standards for digital signs. The township has also amended standards for outdoor advertising, billboards and on-premises signs.

Throughout the code the township has also changed any reference of “Clerk” to Fiscal “Officer” and any reference to “Zoning Permit” to “Zoning Certificate”.

REGIONAL PLANNING COMMISSION STAFF RECOMMENDATION:

RPC staff recommends modifying the proposed text amendments with the following comments:

1. The definition of Rear Building Line should be revised to read “Rear Building Line” means a line touching the rear most part of the building, not to include accessory structures, which is parallel with the Front Building line.”
2. The definitions of Rear Yard and Side Yard should be changed to reference the distance between the rear (or side) lot line and the rear (or side) building line.
3. On the definition of Site Plan, the words “means” or “shall mean” should be added.
4. The township may want to consider adding the definition of Through Lots or Double Frontage Lots and Interior Lots to their code.
5. Section 11.02.07 should be revised to read “The Development Plan shall contain a site plan, as defined in Article III, and shall show the size, design, materials and location of all signage proposed for the development.”
6. RPC Staff recommends that the township should consider including a definition to the definition section of the Zoning Resolution for digital signs. Staff suggests language similar to the following: “Sign, Electronic Message – A sign who’s alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.”
7. RPC staff questions why the size requirements for outdoor advertising signs are being changed from 200 square feet to 359. This is only one square foot smaller than the maximum size for a billboard. The township may want to consider combining outdoor advertising signs and billboards into one.

Applicant: Berne Township – Continued

8. Per ORC 519, public utilities are exempt from township zoning. The township should consider including the attached Exhibit A language in Article I of their code. The township should also consider adding the other exemptions per ORC 519 in Article I (i.e. agriculture).
9. The Township must include permanently sited manufactured homes as a permitted use in all residential districts.
10. It appears that the ADA language added in Section 9.03 (F) would be more appropriate in the variances section.
11. References to political signs should be removed as this is content based. Political signs should be regulated as any other temporary sign would be regulated.
12. RPC staff would encourage the township to discuss any of the proposed changes with us.

A motion was made by Harry Myers to approve the RPC staff recommendation. Ira Weiss seconded the motion. Motion passed.

ITEM 6. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS

RPC staff presented a list of building permit applications under review.

Holly Mattei presented the following bills for payment:

ITEM 7. BILLS

530005	CONTRACT SERVICES – OTHER	\$ 1,964.20
558000	TRAVEL & EXPENSES	\$ <u>271.23</u>
	TOTAL	\$ 2,235.43

A motion was made by Doug Ingram to approve the bills for payment. Kent Huston seconded the motion. Motion passed.

ITEM 8. OTHER BUSINESS

Holly Mattei reminded everyone that there will be a meeting on January 18th on the Land Use Plan. Holly Mattei provided an update on the question last month regarding new addresses being assigned by the County Engineer without notification to the township.

There being no further business, a motion was made to adjourn the meeting by Ira Weiss and seconded by Phil Stringer. Motion passed.

Minutes Approved By:

William Yapple, President

Mary K. Snider, Secretary