

MINUTES

February 6, 2024

The minutes of the Regional Planning Commission meeting held at the Fairfield County Records Center, 138 West Chestnut Street, Lancaster, Ohio, and via livestream and conference call.

Presiding: Jennifer Morgan, President

Present: Josh Anders, Ron Baker, Rob Beiter, Vince Carpico, Joe Ebel, Tamara Ennist, Amanda Everitt, Charles Hockman, Kent Huston, Douglas Ingram, Lonnie Kosch, Jarrod Mahaffey, Gina Matos, Darrin Monhollen, Carol Moore, Mitch Noland, Jeff Porter, Austin Reid, Rich Schneider, Dan Singer, Bob Slater, Carly Sparrow, Tim Tepe, Tony Vogel, Ira Weiss, Amanda Wolin, Adam Young and Commissioner Dave Levacy.

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

ITEM 1. MINUTES

The minutes of the December 5, 2023, 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. The next regularly scheduled meeting will be held at the Workforce Center and the agenda will include the 2024 Fairfield County Comprehensive Plan and the election of the officers.

ITEM 3. SUBDIVISION ACTIVITY

ITEM 3a. WINDING CREEK SECTION 5, PART 2

Holly Mattei presented the following report:

Subdivision: Winding Creek - Section 5, Part 2 - Final Plat Extension Request

Owner/Developer: Bambauer Deter Enterprise, LLC / Bob Deter

Engineer: EMH&T

Location and Description: The Winding Creek Subdivision is located in Section 27, Township 16, Range 20 of Violet Township. A preliminary plan for 269 lots was approved by the Regional Planning Commission in January 1996. Centralized water and sewer are provided by the Fairfield County Utilities Department. The Regional Planning Commission conditionally

approved the Winding Creek Section 5, Parts 1 and 2 Final Plats on November 4, 2003. The Section 5, Part 1 Final Plat has been recorded. Final Acceptance of the public improvements for Section 5, Part 1 has been granted by the Fairfield County Board of Commissioners.

The Final Plat approval for Section 5, Part 2 plat has been extended by the Commission to February 16, 2024. The developer is requesting a 180-day extension, which would take Final Plat approval through August 16, 2024.

The originally approved Section 5, Part 2 plat layout included thirty-two (32) lots. On October 7, 2008, the Regional Planning Commission approved the Section 5, Part 1A Final Plat for lots 209 and 217, which were originally a part of the Section 5, Part 2 plat. Therefore, the current Section 5, Part 2 plat layout includes thirty (30) lots.

RPC STAFF RECOMMENDATION: RPC staff recommends approval of the 180-day extension, subject to the following conditions:

1. Proposed access points to Milner Road could require re-evaluation dependent on future development activity on the east side of Milnor Road recorded prior to Section 5, Part 2.
2. The location of utilities installed on this site during the construction of Section 5, Part 1 will need verified and identified on the drawing prior to commencing construction of public improvements for Sec. 5, Part 2.
3. The construction drawings shall be revised to accommodate for post construction water quality required by OEPA as part of the NPDES permit that the site will have to obtain before construction can commence on Section 5, Part 2. In addition, the OEPA may require water quantity requirements to be met, which could result in the loss of additional lots to accommodate water retention facilities and would require a revised plat to be submitted.
4. Modification of the site design layout will require re-application to the Township for their review.
5. As part of a Planned District, this final plat will require review of the Township Trustees prior to recording.
6. Milnor Road improvements will need to be completed.

A motion was made by Jeff Porter to approve the RPC staff recommendation. Amanda Everitt seconded the motion. Motion passed.

Safa Saleh presented the following reports:

ITEM 3b. MEIJER – REPLAT AND VARIANCE

Subdivision/Request: Replat type 1 to Section 3.5 of the Subdivision Regulations

Owner/Developer: Lamacchia Group

Surveyor/Engineer: Crossing Waters

Location and Description: This site is located 144 along Meijer outparcel, OU Credit Union 2900 Columbus Lancaster Rd, Parcel Number #0130114600 in Greenfield Township. The parcel is zoned I-Industrial according to the Greenfield Township Zoning Text. The applicant has received a variance from the Township zoning regulations to allow for the proposed parcel without any frontage on a publicly dedicated road. The applicant is requesting a re-plat from Section 3.5 of the Fairfield County Subdivision Regulations. The applicant is also requesting a variance to the frontage requirements in Section 4.13.1 of the Fairfield County Subdivision Regulations regarding frontage.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the Meijer re-plat Type-1 and the variance to Section 4.13.1, Frontage Requirements of the Fairfield County Subdivision Regulations, subject to the following conditions:

1. The Nonexclusive Driveway Access Easement Agreements and Nonexclusive Storm Water and Discharge Agreement being reviewed to determine there are no conflicts with the Fairfield County Subdivision Regulations and meeting all requirements of the Fairfield County Engineer. These easements shall be shown and recording information shall be referenced on the replat.
2. The applicant shall address the comments from the office of Fairfield County Engineer, Fairfield County Utility, GIS, Soil and Water District, and Greenfield Township Zoning.
3. The applicant shall pay the required recreational fees and inspection fees. The applicant shall execute a development agreement with the County.

A motion was made by Tony Vogel to approve the Subdivision Regulations Committee recommendation. Kent Huston seconded the motion. The motion passed with Lonnie Kosch abstaining.

ITEM 3c. BASIL WESTERN LOGISTICS CENTER – FINAL PLAT

Subdivision/Request: Basil Western Logistics Center - Final Plat

Owner/Developer: Roebling Development

Surveyor/Engineer: CEC, Inc (Civil and Environmental Civil Consultant)

Location and Description: This site is located along Basil Western Road in Violet Township within the Planned Business Industrial District for Violet Township.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the Basil Western Logistics Final Plat, subject to the following conditions:

1. The applicant shall deposit the funding for the multi-use path with the Fairfield County Port Authority once all agreements have been finalized.
2. The applicant shall execute a long-term Drainage Maintenance Agreement covered by the DESC permit from Violet Township.
3. The applicant shall execute the development agreement between the developer and Fairfield County.

A motion was made by Tony Vogel to approve the Subdivision Regulations Committee recommendation. Jeff Porter seconded the motion. Jarrod Mahaffey asked if the subdivision included a buffer area. Holly Mattei explained this area is part of CEDA and that zoning would address the setbacks and a landscaping plan. After discussion, the motion passed with Darrin Monhollen abstaining.

ITEM 4. ZONING MAP AMENDMENT

APPLICANT: Steven R. Wernert

LOCATION & DESCRIPTION: The property proposed for rezoning is approximately 10.01 acres in size and it is located at 3101 Basil Western Rd, Baltimore, Ohio on the south side of Basil Western Rd. in Liberty Township, Section 28, Township 16, Range 19.

EXISTING ZONING: RR-Rural Residential District - It is the intent of the RR-Rural Residential District is to provide for single family dwellings on large tracts within areas of open land. Areas in the District will not normally be served by public sewer.

EXISTING LAND USE: Agriculture and Rural Residential

PROPOSED REZONING: PRB/CS-Planned Rural Business and Community Service District - It is the intent of the PRB/CS District to provide for planned development of small scale, limited business and/or community service activities in conjunction with or near residential uses. Furthermore, it is not the intent of this District to include large scale commercial developments.

PROPOSED USE: Landscaping offices.

| | ADJACENT ZONING | ADJACENT USE |
|-------|--------------------------------|---------------------|
| North | R-R Rural Residential District | Single Family Home |
| East | R-R Rural Residential District | Single Family Home |
| West | R-R Rural Residential District | Single Family Home |
| South | R-R Rural Residential District | Single Family Home |

RPC STAFF RECOMMENDATION: RPC staff recommends approval of the proposed rezoning because it meets the intent of the PRB/CS District, and this parcel is shown within a growth area in the current Fairfield County Land Use Plan.

A motion was made by Darrin Monhollen to approve the RPC staff recommendation. Doug Ingram seconded the motion. Motion passed.

ITEM 5. ZONING TEXT AMENDMENT

Josh Hillberry presented the following report:

APPLICANT: Liberty Township

PROPOSED REVISIONS:

Liberty Township has proposed an amendment to its Zoning Resolution to add definitions and revisions. The proposed amendment defines “Barndominium Dwelling” as an acceptable dwelling type and includes accompanying restrictions. The amendment also introduces a minimum setback of 15’ from all side and rear property lines for driveways. Text regarding Fairfield County’s Comprehensive Land Use Plan and conservation of farmland has also been updated in the proposed amendment.

ANALYSIS:

Barndominium Dwellings:

‘*Barndominium Dwelling*’ is a new dwelling-type defined in the resolution as a single-family dwelling. They are only permitted in Rural Residential Districts (RR) and have restrictions relating to minimal livable floor area, garage/storage space, and orientation (9.2.B.7).

Driveway Setbacks:

A minimum setback of 15’ (from all side and rear property lines), has been added to Rural Residential Districts (RR), Small Scale Commercial District (B-1), Highway Business Commercial District (B-2), General Industrial District (I-1), and Park/Recreation District (PR-1); as well as for individual lots contained in a Planned Unit Development District (PUD). Driveway Requirements have also been added to the General Development Standards section (*Article X*).

Land Use Plans:

Conservation of Farmland language has been added to the Planned Residential Conservation Overlay District (PRCD), under Development Design Criteria; where it states, “*Farmland that is recommended for conservation by the Liberty Township Comprehensive Land Use Plan shall be conserved*”.

A paragraph has been added to Section 1.2 stating the Board of Township Trustees may consider but is not required to follow or give any deference to any Land Use, Comprehensive, or

Economic Development Plans adopted by Fairfield County or any other jurisdiction. Additionally, District Change Amendments applicants will now provide a statement of how the proposed amendment relates to Liberty Township's Comprehensive Land Use Plan; the statement will no longer include how the proposed amendment relates to the Fairfield County Comprehensive Land Use Plan (7.I.C.3).

Disturbance of Field/Drainage Tile:

Language regarding the Disturbance of Field/Drainage Tile has been added to the General Development Standards section, under Drainage, Erosion, and Sediment Control. This requires builders, excavators, and property owners to correctly repair any cut, damaged, or disturbed field/drainage tiles impacted by development or construction. Those who fail to repair field/drainage tiles shall be fined and held liable for any damages. The township may repair the tile and assess the cost to the person/company responsible or be placed on the property tax of the landowner. (10.11.A.7)

STAFF COMMENTS:

Barndominium Dwellings:

- The definition provided for this type of dwelling is ambiguous, mostly describing the building materials of the dwelling, and does not clearly define the use or function of the building as a residential structure. It should be made clear that Barndominium's are typically "*a type of residential structure that is built to resemble a barn on the outside, but has a finished living space on the inside.*"
- The township should be aware, Barndominium's are sometimes used as commercial uses (such as a home offices or small businesses) and animal housing/caretaking. The restrictions only address garage/storage space and do not consider commercial or agricultural uses, which may be permitted as an Accessory Use for RR – Rural Residential Districts. (9.2.D.7). It should be stated in the text if the township does not want to allow these uses.
- It should also be noted that Barndominiums can be converted structures or new-build structures; both of which commonly include 'lofts' in their design. This may conflict with the one-story restriction. (9.2.B.7)

Driveway Setbacks:

- The minimum setback distance of fifteen (15) feet from all side and rear property lines is quite large and might restrict the ability for property owners to split the lots in the future. Typically, setback distances for driveways range from three (3) to five (5) feet. We recommend reducing the setback distance to a more conventional number.
- The following language should be added to all sections regarding setback distance for driveways: "*Unless otherwise required by the driveway permitting authority for health and safety purposes.*"

Land Use Plans:

- Per Section (9.3.F.2.C), Farming is a permitted use the restricted open space required by the Planned Residential Conservation Overlay District (PRCD) when authorized in a

conservation easement or in the association's covenants and restrictions. Therefore, it is appropriate to include the proposed language in Section (9.3.I.3). RPC staff encourages the township to contact the Fairfield Soil and Water Conservation District regarding appropriate mechanisms for creating the conservation easement required by Section (9.3.F.2.C).

Disturbance of Field/Drainage Tile:

- We recommend coordinating with Fairfield County Soil and Water Conservation District to conduct inspections of Field/Drainage Tile in addition to the DESC permit issued by Liberty Township.

STAFF RECOMMENDATIONS:

RPC Staff recommends modification in the following areas: Barndominium Dwellings, Driveway Setback Requirements, Land Use Plans, and Disturbance of Field/Drainage Tile as noted in the above RPC Staff Comments.

A motion was made by Kent Huston to approve the RPC staff recommendation. Dan Singer seconded the motion. Joe Ebel asked how to add language to address pole barns being converted into residents. Charles Hockman added he has concerns about electrical issues with metal barns. Holly Mattei said the staff would convey these concerns to the Township. The motion passed with Jarrod Mahaffey abstaining.

ITEM 6. STORMWATER SUBCOMMITTEE

The Stormwater Advisory and Education Subcommittee adopted a motion to add the Franklin County Board of Health and the Fairfield County Board of Health to their subcommittee. It was noted that the Village of Lithopolis and Canal Winchester were part of the original members lists.

A motion was made by Amanda Everitt to add these two entities to the Stormwater Advisory and Education Subcommittee. Jarrod Mahaffey seconded the motion. Motion passed.

ITEM 7. FAIRFIELD GROWING SUBCOMMITTEE

The Regional Planning Commission established the Local Foods Council as a subcommittee in accordance with the RPC bylaws. The 2022 updated Fairfield Growing Plan recommended the Council be reestablished.

A motion was made by Doug Ingram to reaffirm the Local Food Council Subcommittee. Dan Singer seconded the motion. Joe Ebel requested the Fairfield County Health Department be added to the Council. The motion was amended to add the Fairfield County Health Department. Motion passed.

ITEM 8. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS

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

ITEM 9. 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 Dan Singer to approve the bills for payment. Jennifer Morgan seconded the motion. Motion passed.

ITEM 10. OTHER BUSINESS

There being no further business, a motion was made to adjourn the meeting by Doug Ingram and seconded by Dan Singer. Motion passed.

Minutes Approved By:

Jennifer Morgan, President

Kent Huston, Secretary