

MINUTES

May 6, 2014

The minutes of the Fairfield County Regional Planning Commission meeting held at the Fairfield County Courthouse, Commissioners' Hearing Room, 210 East Main Street, Lancaster, Ohio.

Presiding: Kent Huston, President

Present: Donna Abram, Clement Chukwu, Zack DeLeon, Gail Ellinger, Jim Hochradel, Doug Hockman, Doug Ingram, Larry Joos, Harry Myers, Larry Neeley, Peter Rockwood, Jason Smith, Mary Snider, Phil Stringer, Hart Van Horn, Ira Weiss, Bill Yapple, Dave Levacy (County Commissioner), Carri Brown (County Executive Director), Bob Clark (County Economic Development Director), Holly Mattei (RPC Director), James Mako (Senior Planner), and Gail Beck (Adm. Asst).

ITEM 1. MINUTES

The Minutes of the April 1, 2014 Fairfield County Regional Planning Commission meeting were presented for approval. Doug Ingram made a motion for approval of the minutes. Ira Weiss seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Kent Huston welcomed everyone to the meeting. Kent stated that former RPC member, Margie Burket, passed away recently and asked for a moment of silence in her memory. An envelope was distributed to the members present at the meeting for donations to The Ohio Glass Museum in Margie's memory. Kent announced that there would be an Executive Committee meeting immediately following the RPC meeting to review the 2015 Preliminary Budget.

ITEM 3. PRESENTATION

Vicki Kohli, Education Specialist of the Fairfield Soil and Water Conservation District, gave a presentation on Education Efforts.

ITEM 4. SUBDIVISION ACTIVITIES

Holly Mattei presented the following report:

ITEM 4a. SUBDIVISION: Spring Creek – Section 2, Phase 2 – Off-Site Easement Plat

OWNER/DEVELOPER: Dominion Homes
Ricketts Family Holding, LLC

ENGINEER/SURVEYOR: CT Consultants

LOCATION AND DESCRIPTION: This is an off-site easement plat for the Spring Creek Section 2, Phase 2 subdivision. This section of Spring Creek has been annexed into the City of Pickerington. The City of Pickerington has previously approved a plat for this section, and it has been recorded. The developer has never completed the public improvements associated with this plat.

The developer is now pursuing the construction of this section. In review of the construction drawings, it appears there are some public improvements that extend beyond the boundaries of the plat for this section and easements were never established for them. These off-site improvements are in the unincorporated area of this subdivision. Therefore, the off-site easement plat is being submitted to the RPC for review and approval.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the Off-Site Easement Plat, subject to the following conditions:

1. The easements do not align with easements on future plats. The proposed easement layout also makes it difficult to construct water and sanitary sewer laterals. The Subdivision Regulations Committee recommends that the off-site easement plat be revised to show the future right-of-way as a temporary easement (that will allow any of the utilities that will be placed in this area). This temporary easement would expire upon the recording of the plat that permanently dedicates it as right-of-way. Permanent sanitary, utility, and drainage easements would be shown on the off-site easement plat that would match the easements on the plat for the future phase(s).
2. The applicant will have the option of installing the sanitary sewer and water laterals at this time or in the future, however, the applicants shall comply with the requirements of the County Utilities Department. These requirements may vary depending upon the timing of the installation. Furthermore, the sanitary sewer and water laterals must be constructed prior to future road construction.
3. An easement for the construction entrance needs to be included.
4. The Subdivision Regulations Committee is concerned that South Central Power's existing lines/structures may conflict with the proposed water line for this phase. Any existing South Central Power's easements need to be shown on the plat. The construction drawings also need to show the existing electrical line/structures and easements. Any conflicts between these utilities must be addressed to the satisfaction of the County Utilities Department and South Central Power.
5. The applicant shall comply with the requirements of the Technical Review Committee, the County Engineer, the County Utilities Department, Fairfield Soil and Water Conservation District, the City of Pickerington, and Violet Township Zoning.

SUBDIVISION: Spring Creek – Section 2, Phase 2 – Off-Site Easement Plat – Continued

A motion was made by Ira Weiss to approve the Subdivision Regulations Committee recommendation including the comment at the meeting that the applicant must coordinate with the City of Pickerington regarding the construction entrance should it be relocated to utilize the existing subdivision roads. Pete Rockwood seconded the motion. Joe Tribble with CT Consultants representing Dominion Homes stated that they have addressed all the comments and incorporated them into a revised version of the plat which they will be submitting to the RPC. He also said that they are still working on issues with South Central Power and plan to have them resolved soon. After discussion, a vote was taken and the motion passed with Harry Myers abstaining.

Holly Mattei presented the following report:

ITEM 4b. SUBDIVISION: Dunkle Subdivision – Final Plat and Replat of a portion of the Town of Tarlton

OWNER/DEVELOPER: Tarlton DOHP IX, LLC

ENGINEER/SURVEYOR: GPD Group, Jim Karing (Surveyor)
Gresham, Smith and Partners, Joe Johnston (Engineer)

LOCATION AND DESCRIPTION: This is a final plat for a proposed commercial development on SR 159 in Clearcreek Township, Township 12, Section 34, Range 20. The entire parcel is 4.23 acres. The applicant is proposing to create two lots with this subdivision. A Dollar General is proposed on the parcel fronting on SR 159 (lot 1). No use has been proposed for lot 2. Central water and sanitary sewers are proposed from the Earnhart Hill Water and Sewer District.

The survey for this project revealed that the original layout for the Town of Tarlton lots in the 1800's encroached upon this lot. This area was never incorporated into the Village boundaries. The applicant is proposing with this development to re-plat the roads and lots that were originally platted with the town lots.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATIONS:

1. Subdivision Regulations Committee recommendation on Injurious Affected: As in the past, the changing of town lots, per the Ohio Revised Code, requires any person who is injuriously affected by the re-plat to consent in writing of such change. The Prosecutor's office has previously advised that the RPC determines who is injuriously affected. The Subdivision Regulations Committee recommends that the owner of the Bussert property to the north be required to sign the replat, because it appears a sliver of North Street encroaches on this property.

SUBDIVISION: Dunkle Subdivision – Final Plat and Replat of a portion of the Town of Tarlton
– Continued

2. Subdivision Regulations Committee Recommendation on Final Plat/Replat: The Subdivision Regulations Committee recommends approval of the Dunkle Subdivision Final Plat/Replat, subject to the following conditions:
 - a. Columbia Gas has identified conflicts with an existing easement recorded in DB 322 Page 686. These potential conflicts need to be addressed. This easement is noted in the construction drawings, but it is not shown on the final plat. It needs to be added.
Also note that Columbia Gas' letter refers to DB 332, but the construction drawings reference DB 322. The DB needs to be verified.
 - b. A front building setback line (50 feet from proposed right-of-way) needs to be added.
 - c. The Subdivision Regulations Committee has reviewed the drainage maintenance requirements and has determined that instead of a drainage agreement being executed that the attached drainage easement language be added to the plat. The cross hatched area on page 3 of the plat will need to be labeled as a drainage easement. (The flag portion of the area should be labeled drainage and utility easement.)
 - d. The release of the ingress/egress easement originally recorded in OR 1623 PG 1834 will need to be recorded with its recording information on the plat prior to the plat being recorded.
 - e. Prior to the plat being recorded, the OR and PG number for the Columbia Gas parcel to the south will need to be completed.
 - f. Additional information is needed on the proposed gas easement. The language must comply with the requirements of the gas company.
 - g. All applicable easements shown on the ALTA survey shall be shown on the plat.
 - h. The abandonment and relocation of the existing gas line easement must meet the requirements of the gas company.
 - i. The paperwork for the abandonment of the septic systems and wells on this property shall be submitted and be satisfactory to the Health Department and Soil and Water Conservation District. If any wells are maintained, then the applicant needs to coordinate with Ernhart Hill Water and Sewer District on their backflow preventer requirements.
 - j. The applicant shall comply with the requirements of the Technical Review Committee, the Fairfield County Engineer, the Fairfield County Sanitary Engineer, the Fairfield Department of Health, the Fairfield Soil and Water Conservation District, the Ernhart Hill Water and Sewer District, South Central Power, the Ohio Department of Transportation and Columbia Gas.
 - k. The applicant shall submit the required inspection fee deposit, construction assurances, development agreement, and recreation fees prior to recording the final plat for the subdivision.

SUBDIVISION: Dunkle Subdivision – Final Plat and Replat of a portion of the Town of Tarlton
– Continued

A motion was made by Bill Yaple to approve the Subdivision Regulations Committee recommendation on injuriously affected. Doug Hockman seconded the motion. Motion passed. A motion was made by Bill Yaple to approve the Subdivision Regulations Committee recommendation on final plat/replat. Donna Abram seconded the motion. Joe Johnston with Gresham, Smith and Partners representing Dollar General said that they have revised the plat to address the comments and plan to resubmit soon. After discussion, a vote was taken and the motion passed.

Holly Mattei presented the following report:

ITEM 4c. SUBDIVISION: Nutter Subdivision – Phase 2 – Final Plat and Variance Request

DEVELOPER/OWNER: Jeffrey and Annamarie Qualls

ENGINEER/SURVEYOR: George Beiter, Surveyor
Rob Beiter, Crossing Waters Engineering, Inc.

LOCATION AND DESCRIPTION: The Nutter Subdivision is located on the east side of SR 664 in Rushcreek Township, just south of SR 37. Phase 1 of this subdivision is the Dollar General store. Phase 2 is proposed to be a gas station and convenient store. The applicant is requesting approval of the final plat for Phase 2 and a variance to Section 4.10.2(B) Continuity Requirements. Water and sewer services are provided by the Village of Bremen.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION:

1. Subdivision Regulations Committee Recommendation on Variance to Section 4.10.2(B) Continuity Requirements: Under normal circumstances, the TRC would not support such a variance, but due to the nature of the proposed use (gas station/truck stop) the Subdivision Regulations Committee recommends approval of this variance. The Subdivision Regulations Committee is concerned with potential cross access with the amount of traffic generated with this proposed use.
2. Subdivision Regulations Committee Recommendation on the Final Plat: The Subdivision Regulations Committee recommends approval of the final plat, subject to the following conditions:
 - a. The plat shows a 30-foot front setback. The construction drawings show a 50-foot front setback. The 50-foot setback is correct. The plat needs to be revised.
 - b. Pages 1 and 4 both refer to a proposed detention pond area/easement. Page 3 has a drainage easement description. Pages 1 and 4 need to be revised to indicate drainage easement to be consistent with the description on page 3. Also the attached language needs to be inserted into the drainage easement description on

SUBDIVISION: Nutter Subdivision – Phase 2 – Final Plat and Variance Request – Continued

- page 3. The drainage easement line may need to be extended to the southern boundary line instead of stopping at the 25-foot setback line.
- c. The sidewalk shall be extended to the south property line and also properly connect to the existing sidewalk to the north (Dollar General Property). The sidewalk shall be within with right-of-way or an easement. A maintenance agreement for the sidewalk shall also be prepared, recorded, and referenced on the final plat. The sidewalk and associated easement shall comply with all Technical Review Committee comments.
 - d. The Village of Bremen has not yet requested or received authorization from the Board of County Commissioners to service this area. The Subdivision Regulations Committee recommends that this plat not be executed for recording nor the construction drawings be signed by the applicable review agencies until such time authorization has been granted to the Village of Bremen by the Board of Commissioners to provide service to this area.
 - e. The plat does not show the 1-foot no vehicular access easement along SR 664. It needs to be along the entire frontage, except where the drives are proposed.
 - f. The applicant shall comply with the requirements of the Technical Review Committee, the Fairfield County Engineer, the Fairfield County Sanitary Engineer, the Fairfield Department of Health, the Fairfield Soil and Water Conservation District, the Village of Bremen, the Ohio Department of Transportation and Rushcreek Township Zoning.
 - g. The applicant shall submit the required inspection fee deposit, construction assurances, development agreement, and recreation fees prior to recording the final plat for the subdivision.

A motion was made by Zack DeLeon to approve the Subdivision Regulations Committee recommendation on variance to Section 4.10.2(B) Continuity Requirements. Phil Stringer seconded the motion. Motion passed with Hart Van Horn abstaining. A motion was made by Ira Weiss to approve the Subdivision Regulations Committee recommendation on final plat and adding maintenance agreement on sidewalk. Phil Stringer seconded the motion. Motion passed with Hart Van Horn abstaining.

ITEM 5. PROPOSED ZONING MAP AMENDMENTS

James Mako presented the following report:

ITEM 5a. APPLICANT: Tab Thompson

LOCATION & DESCRIPTION: The property proposed for rezoning is comprised of one parcel (0370217300) totaling 1.12 acres located at 7205 Babbert Place NW in Violet Township, Section 29, Township 15, Range 20.

APPLICANT: Tab Thompson - Continued

EXISTING ZONING: S-1 Professional and Commercial Services: Is defined as an area wherein a privately owned enterprise shall have the primary function of providing professional, semi-professional or commercial services. In no sense shall the S-1 District be considered a general mercantile or trade area.

EXISTING LAND USE: Construction contracting company and one family rental (upstairs).

PROPOSED REZONING: C-3 Unlimited Commercial: Is defined as an area wherein any commercial, mercantile or trade activity, either retail or wholesale, including repair shops and garages for storage, painting, repairing, welding and other services for automobiles, trucks, household appliances, motorcycles, and restaurants of all types shall be permitted.

PROPOSED USE: Business to service and repair vehicles and equipment. Wholesale and retail sales. Professional offices to meet with customers.

	ADJACENT ZONING	ADJACENT USE
NORTH	M-3 Unlimited Manufacturing	Manufacturing Company
EAST	C-2 Limited Commercial	Vacant
WEST	C-3 Unlimited Commercial	Vacant
	R-1 Single Family Residential	Vacant/Right of Way
SOUTH	C-2 Limited Commercial	Vacant

RPC STAFF RECOMMENDATION

1. RPC Staff recommends approval of the proposed rezoning. The Fairfield County Future Land Use Plan recommends that this parcel be developed with Highway Commercial land uses. The Violet Township Land Use Plan identifies this parcel being developed as business and industrial land uses. In addition, the plan has included the site within the US 33 Corridor concept area which is identified as being developed with business and industrial land uses.

A motion was made by Doug Ingram to approve the RPC staff recommendation. Pete Rockwood seconded the motion. Motion passed with Harry Myers abstaining.

James Mako presented the following report:

ITEM 5b. APPLICANT: Walnut Township Trustees

LOCATION & DESCRIPTION: The properties proposed for rezoning are 9 parcels located in Fairfield Beach along Elm and Forest Roads (T. 17, R.19 S. 24). The total area proposed for rezoning is approximately 2.1 acres.

APPLICANT: Walnut Township Trustees - Continued

EXISTING ZONING: B-2 Commercial Business District: The purpose of this district is to provide for a variety of retail and service establishments and provide personal and professional services that serve a community sized-and larger-trading area population. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood business district.

EXISTING LAND USE: Single family residential homes with some vacant lots.

PROPOSED REZONING: RMU Recreational Mixed Use District: It is the intent of this district to provide for a mixture of residential uses with commercial service and recreational uses associated with resort development. It is further the intent of this district to provide limited business uses that are scaled to blend with the surrounding area. The Recreational Mixed-Use District may be applied to land that does not directly abut Buckeye Lake but is within the general vicinity of this recreational area.

PROPOSED USE: Same as existing

	ADJACENT ZONING	ADJACENT USE
NORTH	R-2 One & Two Family Residential District	Single Family Homes
EAST	B-2 Commercial Business District	Single Family Homes
WEST	B-2 Commercial Business District	Single Family Homes
SOUTH	B-3 Intensive and Motorist Services Business District	Agricultural

RPC STAFF RECOMMENDATION

1. RPC staff is recommending modification of this rezoning. RPC staff believes that the township should rezone not just these 9 parcels but all of the B-2 zoning in the area of Fairfield Beach (bounded by Alder Drive on the North; Fairfield Beach Road on the South; Shell Beach Road on the West; and Rosewood Drive on the East). This will make the zoning uniform and more consistent with the existing residential nature of the area while still allowing for some commercial uses.

A motion was made by Ira Weiss to approve the RPC staff recommendation. Zack DeLeon seconded the motion. Zack DeLeon asked why Walnut Township selected the nine parcels. Holly Mattei responded that nothing was listed on the application about the reason they selected these parcels. After discussion, a vote was taken and the motion passed with Larry Neeley abstaining.

Holly Mattei presented the following bills for payment:

ITEM 6. BILLS

561000	OFFICE SUPPLIES	\$ 158.26
543000	REPAIR AND MAINTENANCE	\$ 88.89
558000	TRAVEL & EXPENSES	\$ 128.24
	TOTAL	\$ 375.39

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

ITEM 7. OTHER BUSINESS

Holly Mattei reminded everyone about the zoning training on zoning laws for persons with disabilities. The zoning training will be held on May 12th at 6:30 p.m. at the Ag Center. Please RSVP if you plan to attend the training

There being no further business, a motion was made to adjourn the meeting by Zack DeLeon and seconded by Doug Hockman. Motion passed.

Minutes Approved By:

Kent Huston, President

Mary K. Snider, Secretary