

## **MINUTES**

**June 3, 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, Todd Edwards, Gail Ellinger, Jim Hochradel, Ivan Ety, Larry Joos, Ray Karlsberger, Harry Myers, Larry Neeley, Karen Roberts, Peter Rockwood, Eric Sandine, Dan Singer, Jason Smith, Mary Snider, John Snook, Phil Stringer, Ira Weiss, Dave Levacy (County Commissioner), Carri Brown (County Executive Director), Bob Clark (County Economic Development Director), Holly Mattei (RPC Director), James Mako (Senior Planner), Courtney Van Dyke (RPC Intern), and Gail Beck (Adm. Asst).

### **ITEM 1. MINUTES**

The Minutes of the May 6, 2014 Fairfield County Regional Planning Commission meeting were presented for approval. Pete Rockwood 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 introduced new RPC members John Snook, representing Pleasantville, and Karen Roberts, representing Sugar Grove.

### **ITEM 3. PRESENTATION**

Kate Ervin, Executive Director of Destination Downtown Lancaster gave a presentation.

### **ITEM 4. SUBDIVISION ACTIVITIES**

Holly Mattei presented the following report:

**ITEM 4a. SUBDIVISION:** Thorla – North Bank Road – Variance Request

**OWNER/DEVELOPER:** Dana Thorla

**ENGINEER/SURVEYOR:** Scott D. Grundei

**LOCATION AND DESCRIPTION:** An application has been submitted requesting variance to Sections 2.3 (Frontage) and 2.4 (Lot Area) for a proposed lot split on the south side of North Bank Road in Walnut Township, Section 22, Township 17, Range 18. Each proposed lot would be approximately .12 acres with approximately 49 feet of frontage. The Walnut Township Board of Zoning Appeals has already granted a variance from its zoning requirements to allow the proposed split. Water service is proposed from the Village of Millersport. Sanitary sewer services are proposed from the Licking County Water and Wastewater District.

**SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION\*\*:** The Subdivision Regulations Committee recommends approval of the proposed variance for the following reasons:

1. The proposed lot will be of similar size to the lots in the surrounding area. For this reason, the Subdivision Regulations Committee believes that the variance is not substantial when viewed in light of the surrounding area and it will not substantially alter the essential character of the neighborhood.
2. The Village of Millersport and the Licking County Water and Wastewater District have indicated that they can serve this additional lot with central water and sewer services. Access can be provided from North Bank Road. Therefore, the delivery of governmental services is not adversely affected.

\*Also note a flood building permit will be required from the Fairfield County Regional Planning Commission prior to moving any dirt and/or constructing any building on these lots.

\*\*At its February 6, 2014 meeting, the RPC continued this variance case until such time it received a certification of the Walnut Township Board of Zoning Appeals decision. This certification was submitted to the RPC office on February 10, 2014, and the application was placed on the March 4, 2014 RPC agenda.

Prior to the March 4, 2014 meeting, the opposing party filed an Appeal of the Walnut Township BZA decision. A Motion to Stay was also ordered. For this reason, the RPC did not take any action on this agenda item at its March 4<sup>th</sup> meeting.

On April 21, 2014, an Agreed Entry was filed with the Court of Common Pleas. This Agreed Entry outlined the terms to lift the temporary stay, which allowed the applicant, Dana Thorla, to request a hearing on her variance application from the RPC. On May 5, 2014, Dana Thorla's attorney requested that this application be heard by the RPC at its June 3<sup>rd</sup> meeting.

Both the applicant and the opposing party have submitted materials to be included on the record for the June 3<sup>rd</sup> meeting.

SUBDIVISION: Thorla – North Bank Road – Variance Request – Continued

A motion was made by Harry Myers to approve the recommendation of the Subdivision Regulations Committee. Ira Weiss seconded the motion. Attorney Matthew Johnson representing the applicant asked to speak to the RPC. Mr. Johnson stated that the Thorla's would not yield a reasonable return without the variance. He said that the Thorla's bought the property for \$370,000 and it is currently valued at \$195,000. Mr. Johnson also said that the property owner that has filed the objection to the variance has very similar road frontage. Attorney Yazan Ashrawi representing Tim Fallon and Judy Fallon asked to speak to the RPC. He stated that the Thorla property can be of beneficial use without a variance as a building lot for a single family residence. Mr. Ashrawi also said that the original lots were platted and some of the lots were larger and some were smaller and the Thorla's knew about this restriction when they purchased the property. Mr. Ashrawi stated that the Thorla's have no predicament without the variance because they can build a single family residence. According to Mr. Ashrawi, twenty-seven property owners signed a petition stating that this variance would change the substantial character of their neighborhood. He said that the lot has been this way for a long time and they would like it to remain as is. Ira Weiss asked what has changed in seven years that the township is OK with the variance now? Holly Mattei responded that we need to consider this as it pertains to the Subdivision Regulations. Bob Clark asked if there have been any other lot splits in the area. Attorney Matthew Johnson stated that before buying the lot the Thorla's were told by Ralph Reeb that a variance could be approved. Attorney Yazan Ashrawi responded that the Thorla's found out very soon that the variance couldn't be approved. Holly Mattei stated that the adjacent lots are 50 feet and similar. After discussion, a vote was taken and the motion passed with 15 members voting for the variance. Dave Levacy, Larry Neeley, John Snook, Mary Snider, Karen Roberts, and Todd Edwards abstained.

Holly Mattei presented the following report:

**ITEM 5. APPROVAL OF PRELIMINARY 2015 RPC BUDGET**

**PRELIMINARY 2015 BUDGET  
FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION  
2015 PROJECTED RECEIPTS**

434130	2015 Member Assessments	
	County Commissioners Allocation	135,250
	<i>Other Membership Assessments</i>	35,100
434101	Subdivision Review and Permit Fees	35,000
434000	CDBG Administration	28,000
433000	Subdivision Inspection Fees (Pass Thru)	3,000
433000	Parks and Recreation Fees (Pass Thru)	3,000
	Carryover	14,450

**TOTAL ANTICIPATED RECEIPTS** **\$253,800**

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APPROVAL OF PRELIMINARY 2015 RPC BUDGET – Continued

**FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION  
 2015 PRELIMINARY BUDGET**

CODE	ACCOUNT	2015 BUDGET
511010	Salaries	\$150,500
522000	Medicare (1.45%)	2,200
523000	PERS (14%)	21,090
526000	Worker’s Compensation	1,500
521000	Medical/Hospitalization Insurance	51,500
521100	Life Insurance	200
525000	Unemployment	10
561000	Supplies	2,000
530005	Contract Services – Other	12,000
530000	Contract Services	5,700
	(includes Pass Thru Subdivision Inspections & Recreation Fees)	
543000	Contract – Repair	1,250
558000	Travel and Expenses	2,500
574000	Equipment	2,450
590000	Other Expenses	<u>900</u>
<b>PRELIMINARY 2015 BUDGET</b>		<b>\$253,800</b>

**Letter of Credit Fund**

438000	Other Financing Sources – Letter of Credit	-0-
590000	Other Expenses – Letter of Credit	\$ 740.00
<u>Sub-Fund</u>		
8044	Violet Meadows 4.2	740.00

A motion was made by Ira Weiss to approve the Preliminary 2015 RPC Budget. Jason Smith seconded the motion. Motion passed.

Holly Mattei presented the following bills for payment:

**ITEM 6.      BILLS**

543000	REPAIR AND MAINTENANCE	\$ 93.31
558000	TRAVEL & EXPENSES	<u>\$ 252.45</u>
	TOTAL	\$ 345.76

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

**ITEM 7. OTHER BUSINESS**

Holly Mattei distributed the CHIP FY 2014 contract for the RPC members to review. After review, a motion was made by Gail Ellinger to authorize Holly Mattei to sign the contract. Jason Smith seconded the motion. Motion passed.

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

Minutes Approved By:

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Kent Huston, President

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Mary K. Snider, Secretary