

## **MINUTES**

**September 4, 2018**

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: Kent Huston, Secretary

Present: Todd Edwards, Gail Ellinger, Rachel Elsea, Craig Getz, Charles Hockman, Dean LaRue, Larry Neeley, Jerry Rainey, Ira Weiss, Jeff White, Dave Levacy (County Commissioner), Carri Brown (County Administrator), Rick Szabrak (County Economic Development Director), Loudan Klein (Executive Director), James Mako (Assistant Director), and Gail Beck (Adm. Asst.).

### **ITEM 1. MINUTES**

The Minutes of the July 5, 2018, Fairfield County Regional Planning Commission meeting were presented for approval. Ira Weiss made a motion for approval of the minutes. Jerry Rainey seconded the motion. Motion passed.

### **ITEM 2. PRESIDENT'S REPORT**

Kent Huston welcomed everyone to the meeting. Kent was filling in for Phil Stringer who was absent for medical reasons.

### **ITEM 3. PRESENTATION**

A presentation was given by Jonett Haberfield, Director of Fairfield County Visitors and Convention Bureau.

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

Loudan Klein presented the following report:

**ITEM 4a). Subdivision:** Heron Crossing Section 3 - Final Plat

**Owner/Developer:** MI Homes

**Engineer:** Watcon

**Location and Description:** The Heron Crossing Subdivision is located in Violet Township along Refugee Road. Section 3 includes 45 lots on approximately 27 acres and is accessed from the existing Section 2 via Preservation Way.

**SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION:** The Subdivision Regulations Committee recommends approval of the final plat, subject:

1. Sheet 1/5. The reservation of offsite easement language is not necessary. It was done on previous plats due to land being under different ownership. Now that all land is currently under ownership of MI homes and they are already signing, this is not needed.
2. A construction assurance in an amount determined by the County must be submitted prior to recording of the final plat.
3. Recreation fees must be submitted prior to recording of the final plat. The fee is \$50.00 per lot.
4. The final plat must be revised to comply with the Technical Review Committee, County Engineer, County Utilities, Soil and Water Conservation District, GIS Department, and Violet Township.

A motion was made by Rick Szabrak to approve the Subdivision Regulations Committee recommendation. Ira Weiss seconded the motion. Motion passed.

**ITEM 5. ZONING AMENDMENTS**

James Mako presented the following report:

**ITEM 5a. Liberty Township Text Amendment**

**Applicant:** Liberty Township

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

1. Article III, DEFINITIONS. Add the following definitions:
  - a. Add a Driveway definition that states “Any road or path, shared or common, giving ingress and/or egress to a parcel.”
  - b. Add a Vendor definition that states “A person or company that sells goods or services.”

Liberty Township Text Amendment – Continued

- c. Add a Shooting Range definition that states “Shooting Range Definition: “a facility operated for the purpose of shooting with firearms or archery equipment, whether publicly or privately owned and whether or not operated for profit, including, but not limited to, commercial bird shooting preserves and wild animal hunting preserves established pursuant to this chapter. “Shooting Range” does not include a facility owned or operated by a municipal corporation, county, township police district, or joint police district.” O.R.C. 1533.83”
  - d. Commercial Entertainment Facility definition - Add “as well as any celebratory events.” to the end.
2. Article IX- ZONING DISTRICTS. In Section 9.2 (Rural Residential District) the township wishes to change the road frontage requirements for lots in the district. For lots of 2.0 acres to 5.0 acres the frontage will increase from 175’ to 200’, lots of 5.00 acres to 14.99 acres the frontage will increase from 300’ to 350’ and lots of 15.0 acres and more the frontage will increase from 60’ to 100’. The minimum side yard setback for the R-R District is proposed to be increased from 15’ to 25’.
3. Article X-GENERAL DEVELOPMENT STANDARDS. The township wishes to increase the minimum size of any Single-Family Dwelling, Manufactured Home, or Permanently Sited Manufactured Home from 1,350 square feet to 1,800 square feet.
4. Article XI-CONDITIONAL USE REGULATIONS. The township wishes to add regulatory guidelines for Oil and Gas Wells.

**REGIONAL PLANNING COMMISSION STAFF RECOMMENDATION:**

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

1. RPC Staff believes that changing the road frontage requirements in Section 9.2 for lots in the 5.00 acre to 14.99 acre range is unnecessary. If approved, this would become the highest standard for any township in the county. Staff believes that the existing 300’ frontage requirement is sufficient.
2. RPC Staff believes that increasing the minimum square footage requirements for single family homes in Section 10.1A for lots is unnecessary. If approved, this would become the highest standard for any township in the county. RPC Staff is aware that the average home size has increased over the years but staff believes this change could create hardships. Staff would recommend leaving the 1,350 square foot minimum as is.
3. The proposed Oil and Gas Well regulations would be the first in Fairfield County. RPC Staff has researched other Ohio township’s regulations and it appears that the proposed language for Liberty Township is consistent with these other townships. Staff would recommend that the Prosecutor’s Office review the proposed language. In addition, RPC

Liberty Township Text Amendment – Continued

Staff would recommend that language is added to list Oil and Gas Wells as a conditional use in the various zoning districts throughout Article IX.

4. The Fairfield County Regional Planning Commission (RPC) would recommend that the proposed language for Commercial Entertainment Facilities under Article III be clarified by the township. The RPC believes the proposed language is too vague in nature.

A motion was made by Jeff White to approve the RPC staff recommendation. Todd Edwards seconded the motion. Discussion followed regarding information received from the County Prosecutor indicating that there cannot be a conditional use in any of the districts. An amended motion was made by Carri Brown and seconded by Rick Szabrak that the language in the Commercial Entertainment Facilities Section be clarified. A vote was taken on the amended motion and it passed with Craig Getz abstaining. The original motion was then voted on, as modified, and it passed with Craig Getz abstaining.

James Mako presented the following report:

**ITEM 5b. APPLICANT:** Zynda LLC/ Robert Zynda

**LOCATION & DESCRIPTION:** The property proposed for rezoning is approximately 1.50 acres in size and is located at 3580 Reynoldsburg-Baltimore Road (State Route 256) in Liberty Township, Section 16, Township 16, Range 19.

**EXISTING ZONING:** B-1 Small Scale Commercial District- It is the intent of the B-1 Small Scale Commercial District to provide an area for small, centralized commercial developments, offices, service centers and other similarly-scaled commercial Uses that serve the local population. These developments should be located in accessible areas where traffic conflicts are minimal. The size of the Buildings within this District shall be scaled to blend with adjacent residential areas.

**EXISTING LAND USE:** Storage Facility Business

**PROPOSED REZONING:** I-1 General Industrial District- It is the intent of the I-1 District to provide areas for businesses, service establishments, and industrial Uses. It is further the intent of the I-1 District to prohibit Dwelling Uses.

**PROPOSED USE:** Expansion of existing use

APPLICANT: Zynda LLC/ Robert Zynda – Continued

	<b>ADJACENT ZONING</b>	<b>ADJACENT USE</b>
NORTH	B-1 Small Scale Commercial District	Campground (Rippling Stream Campgrounds)
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 with the following comments:

1. RPC staff would normally recommend against rezoning to an Industrial District in a location such as this however, it appears that the existing business has been operating at this site since the early to mid 1990's. In addition, the use was permitted in the B-1 District until 2009 when the zoning resolution was amended and the use was moved to the I-1 District.
2. Given the fact that the proposed use is similar to the existing use, RPC staff is supportive of the rezoning.
3. RPC staff would like to mention to the township that per Section 9.8 (G)(1) of the Zoning Resolution, the minimum lot size for parcels the I-1 District is 2 acres.

A motion was made by Gail Ellinger to approve the RPC staff recommendation. Ira Weiss seconded the motion. Discussion followed regarding the line of sight coming out of Bader Road and if this area is a protected agricultural area. After discussion, a vote was taken and the motion passed with Craig Getz abstaining.

Loudan Klein presented the following:

**ITEM 6. APPROPRIATE FROM UNAPPROPRIATED FUNDS AND AMEND THE CERTIFICATE**

**RESOLUTION #2018-01**

**A RESOLUTION TO APPROPRIATE FROM UNAPPROPRIATED FUNDS AND  
AMEND THE CERTIFICATE – FUND #7416 – LETTER OF CREDIT**

**WHEREAS**, unanticipated receipts have been received in 2018; and

**WHEREAS**, in order to meet any future obligations to developers when their subdivisions are completed, funds are needed in the Letter of Credit – Other Expenses Account;

**WHEREAS**, money needs to be appropriated from unappropriated funds which are now available within the Fund 7416 – Letter of Credit – Fairfield County Regional Planning Commission and an amended Certificate needs to be issued; and

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**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS, COUNTY OF FAIRFIELD, STATE OF OHIO:**

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**Section 1.** Request that the Fairfield County Auditor update the receipt line item 74741600 439000 – RPC – Letter of Credit in the amount of \$150,998.82.

**Section 2.** Request that the Fairfield County Auditor on behalf of the Budget Commission, issue an Amended Certificate in the amount of \$150,998.82 to the credit of the Fairfield County Regional Planning Commission Fund (7416).

**Section 3.** Request that the Fairfield County Auditor appropriate from unappropriated funds \$150,998.82 to 74741600 590000 – RPC – Letter of Credit – Other Expenses.

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_  
that the resolution be adopted was carried by the following vote:

YEAS: \_\_\_\_\_                      NAYS: \_\_\_\_\_  
ABSTENTIONS: \_\_\_\_\_

Adopted: September 4, 2018

\_\_\_\_\_  
Phil Stringer, President  
Fairfield County Regional Planning Commission

A motion was made by Ira Weiss to approve Resolution #2018-01 to Appropriate from Unappropriated Funds and Amend the Certificate. Jerry Rainey seconded the motion. Motion passed with Dave Levacy abstaining.

**ITEM 7. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS**

RPC staff presented a list of building permit applications under review. Loudan Klein stated that the Village of Millersport is interested in having our Building Department handle their commercial building.

Loudan Klein presented the following bills for payment:

**ITEM 8. BILLS**

558000	TRAVEL & EXPENSES	\$ 209.93
	TOTAL	\$ 209.93

A motion was made by Todd Edwards to approve the bills for payment. Jeff White seconded the motion. Motion passed.

**ITEM 9. OTHER BUSINESS**

Loudan Klein informed the RPC that our State Audit has been completed with no findings. He also announced that we received news from the State that in addition to the \$300,000 grant, the County has been awarded grants for the Village of Millersport for \$500,000 and the Village of Sugar Grove for \$200,000. James Mako was commended for all of his work on these grants.

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

Minutes Approved By:

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Phil Stringer, President

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Kent Huston, Secretary