

MINUTES

December 3, 2019

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

Presiding: Phil Stringer, President

Present: Betsy Alt, Gail Ellinger, Craig Getz, Charles Hockman, Kent Huston, Lonnie Kosch, Darrin Monhollen, Jennifer Morgan, Dan Singer, Melissa Tremblay, Ira Weiss, Bill Yaple, Dave Levacy (County Commissioner), Carri Brown (County Administrator), Rick Szabrak (County Economic Development Director), Jeremiah Upp (County Engineer), Loudan Klein (Executive Director), James Mako (Assistant Director), and Gail Beck (Adm. Asst.).

ITEM 1. MINUTES

The Minutes of the November 5, 2019, Fairfield County Regional Planning Commission meeting were presented for approval. Ira Weiss made a motion for approval of the minutes. Kent Huston seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Phil Stringer welcomed everyone to the meeting and wished them all a Merry Christmas and a Happy Holiday.

ITEM 3. PRESENTATION

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Mike Borger with MORPC gave an update on the Metropolitan Transportation Plan.

ITEM 4. SUBDIVISION ACTIVITIES

Loudan Klein presented the following report:

ITEM 4a. Subdivision: Views at Pine Hill Estates Phase 2 – Final Plat

Owner/Developer: Price Custom Homes

Engineer: 2LMN, Inc

Location and Description: Located in Bloom Township Section 13, Township 14, Range 20 (6 lots) and Greenfield Township Section 18, Township 15, Range 19 (9 lots). Phase 2 will be 15 lots and total and will access from existing Eagle Drive and Countryview Drive. There will also be a second access point created at Carroll-Southern Road. Lots will be serviced by on-site septic and well systems.

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

1. Technical review agencies have met and discussed with the project engineer regarding the construction drawings. The review agencies are amenable to what the engineer has provided and as the drawings evolve the plat must continue to be updated.
2. In order to record the final plat, the following must occur:
 - a. Signed construction drawings
 - b. Inspection fees deposited
 - c. Construction assurance posted
 - d. Executed Developers Agreement
 - e. Recreation fees
3. The final plat must be revised to comply with the requirements of the Technical Review Committee, County Engineer, Fairfield Soil and Water, and the GIS Department.

A motion was made by Bill Yaple to approve the Subdivision Regulations Committee recommendation. Ira Weiss seconded the motion. Motion passed with Lonnie Kosch abstaining.

Loudan Klein presented the following report:

ITEM 4b. Subdivision: Violet Meadows Section 5, Phase 2 - Final Plat

Owner/Developer: Ehab Eskander

Engineer: EMH&T

Location and Description: The Violet Meadows Subdivision is located in Violet Township along S.R 204 (Blacklick-Eastern Road). Section 5, Phase 2 includes 9 lots on approximately 9.7 acres. Access to this Section/Phase will be from the existing Drucilla Street and Bianca Court.

Subdivision: Violet Meadows Section 5, Phase 2 - Final Plat – Continued

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

1. As discussed, and agreed to at the time of preliminary plan approval, the owner of Lot 18 (Section 2, Phase 1) currently platted along “Bianca Court” agreed to be included in the plat for this Phase in order to replat this portion of roadway as Bianca Drive. Please include this lot as part of this plat. Please include a signature line for the owner of Lot 18. There may be alternatives to addressing the street name issue, RPC will be working with the County Prosecutor’s Office to reach the most appropriate method.
2. Reserve “H” should be shown as a drainage easement and the “20 Utility Easement” should be revised for a drainage easement. Refer to County Engineer comment #15 for further clarification.
3. Existing easement #3 within Reserve “H” is a drainage easement.
4. Easements between lots 171/172, 174/175 and the rear of lots 171-177 do not correspond with the approved construction drawings. Refer to County Engineer comment #14 for further clarification.
5. Please update the Commissioners to the current slate.
6. Prior to final plat recording:
 - a. Construction assurance must be provided
 - b. Recreation fees must be paid
7. The final plat must be revised to comply with the requirements of the Technical Review Committee, County Engineer, County Utilities, Fairfield Soil and Water Conservation District, GIS Department, and Violet Township.

A motion was made by Ira Weiss to approve the Subdivision Regulations Committee recommendation. Kent Huston seconded the motion. Discussion followed regarding the cul-de-sac name change and the oil well. After discussion, a vote was taken and the motion passed with Darrin Monhollen and Melissa Tremblay abstaining.

Loudan Klein presented the following report:

ITEM 4c. Subdivision: Chesapeake Revised Preliminary Plan

Owner/Developer: Grand Communities, Ltd.

Engineer: Watcon

Location and Description: Located in Violet Township along Milnor Road the Chesapeake Subdivision was originally approved as 80 lots on December 5, 2017. The developer has decided to forgo developing a portion of the tract to the north. The new proposal is for a total of 62 lots, 23 of the lots are already platted as Section 1. In addition to the removal of the northern portion, the developer has also proposed to remove the stub to the east and replace with a cul-de-sac and add a stub to the north within Section 2. The revised preliminary plan was tabled at the September Subdivision Regulations Committee meeting and has since been resubmitted.

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the revised preliminary plan, subject to the following conditions:

1. Revised drainage calculations to be submitted with final engineering plans. Through discussions with technical review agencies and the project engineer, the plan shows previously approved pond size, however, there is now less lot and road acreage, therefore sizing should be sufficient. This will be further discussed when the construction drawings are submitted.
2. Revised Army Corp permits must be submitted for stream and wetland impact.
3. In the phasing exhibit, the T-turnaround is not accepted by the County at this time and is not an acceptable turnaround per the Subdivision Regulations. A temporary cul-de-sac in compliance with Exhibit 3A of the Subdivision Regulations must be shown on the preliminary plan. Upon review of the construction drawings, further discussion between the technical review agencies and Violet Township may determine an acceptable alternative to the bulb turnaround.
4. Prior to plat recording of Section 2 or 3, the turn lanes must be accepted by the County Engineer.
5. The revised preliminary plan must be revised to comply with the requirements of the Technical Review Committee, County Engineer, County Utilities, Fairfield Soil and Water Conservation District, and Violet Township.

A motion was made by Jennifer Morgan to approve the Subdivision Regulations Committee recommendation. Betsy Alt seconded the motion. Motion passed with Darrin Monhollen and Melissa Tremblay abstaining.

ITEM 5. PROPOSED ZONING TEXT AMENDMENTS

James Mako presented the following report:

ITEM 5a. 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 several definitions including:
 - a. Water Well (as defined in the ORC)
 - b. Septage/Sewage Management (As defined by the ORC)
 - c. Revise Dwelling definition to read - ...residential occupancy, include detached single-family dwelling Units, Single-Family Cluster Dwellings, two-family Dwelling Units, and Multi-Family Dwelling Units, but excluding Hotels and Motels. A dwelling must have an approved and functioning well and septic system approved by the Fairfield County Health Department.
2. Article IX USE DISTRICTS
 - a. 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 4.99 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.
 - a. Language has been added that will allow one pre-existing Accessory Structure on lot splits between 2.00 acre and 5.01 acres. The accessory structure cannot exceed 2,400 square feet.
 - b. Language has been added that will allow one pre-existing Accessory Structure on lot splits over 5.01 acres. The accessory structure cannot exceed 3,200 square feet.
 - c. Increase the minimum building size for a single family home from 1,350 SF to 1,600 SF
 - d. Add language to Section 10.16 L (Agritourism) to read "To ensure the safety of the public who will be attending events at agritourism facilities, the facility shall comply with the Ohio Fire Code."

REGIONAL PLANNING COMMISSION STAFF RECOMMENDATION:

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

1. As stated in May of 2019, RPC staff would not be supportive of the proposed amendments to Section 10.3, which would allow one pre-existing accessory structure on new lot splits. Staff believes that allowing accessory buildings to be split off of lots with

Applicant: Liberty Township – Continued

the primary structure would create a non-conforming use. Further, staff believes these two sections would contradict the definition of an accessory structure found in Article III and is also in conflict with Section 10.3 (A) which states “Accessory structures shall be located on the same lot as the Primary Building to which it is subordinate. No lot shall contain an Accessory Structure without a Principal Building.”

2. As stated in September of 2018, 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.
3. In 2018, the township proposed changing the minimum square footage for single family homes from 1,350 to 1,800. At the time, RPC Staff believed this change could create hardships. RPC Staff believes the 1,600 square foot minimum is a better alternative to 1,800 square feet and would be supportive of this change.
4. RPC Staff would recommend that the township have the County Prosecutor review the proposed language regarding Agritourism and compliance with the Ohio Fire Code.

A motion was made by Kent Huston to approve the RPC staff recommendation. Ira Weiss seconded the motion. Discussion followed regarding the accessory building language. After discussion, a vote was taken and the motion passed with Melissa Tremblay opposing and Craig Getz abstaining.

James Mako presented the following report:

ITEM 5b. Applicant: Greenfield Township

Proposed Revisions: Greenfield Township has submitted a list of text amendments to their zoning code. Minor revisions have been proposed throughout the code to address grammar, cross references, and formatting errors. Major revisions are summarized below:

1. Part I, Section 105, DEFINITIONS. Add several definitions including:
 - a. Accessory Dwelling Unit
 - b. Agricultural Buildings and Structures
 - c. Kennel/Animal Boarding
2. Part II, Section 205, ENFORCEMENT, under the approval for zoning certificates, language has been changed to whereby the zoning inspector is now solely responsible for zoning certificates. The current code references both the zoning inspector and the zoning secretary.

Applicant: Greenfield Township – Continued

3. Part III, Section 310, Under the R-1 District,
 - a. Language has been added that mandates that commercial kennels be located no less than 100 feet from any property line on properties less than 5 acres.
 - b. Swimming pools, playhouses and tennis courts are removed as examples of accessory structures.
 - c. Adds language that states that parcels that are 5 acres or more are considered Agricultural
 - d. Changes the minimum side yard and rear yard setbacks for accessory structures from 10' to 15'.
4. Part III, Section 330, Removes the Office (O) District
5. Part III, Section 360, Changes the name from Planned Development District to Planned Unit Development District.
6. Part IV, Section 415, ACCESSORY STRUCTURES,
 - a. Remove swimming pools and tennis courts as accessory structures
 - b. Remove allowing an additional accessory structure in the R-1 District.
 - c. Language is added that allows the permitted area of an accessory structure to be 2% of the area of a lot or a maximum of 4,000 square feet, whichever is smaller.

REGIONAL PLANNING COMMISSION STAFF RECOMMENDATION:

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

1. Under Article III, the township should remove the language that states that parcels that are 5 acres or more are to be considered Agricultural. There are several parcels in currently in the township which are 5 acres or more which are residential.
2. RPC Staff believes that if the township wishes to remove swimming pools and tennis courts as an accessory use in the R-1 District, they should remove reference to them in the R-2 District as well.
3. It appears that the township will create a conflict in their code if they delete reference to swimming pools as accessory structure in Section 415.01. What happens to Section 415.04 (Private Swimming Pools)? The township needs to address this conflict by either deleting this section or having stand along swimming pool regulations.

A motion was made by Carri Brown to approve the RPC staff recommendation. Ira Weiss seconded the motion. Discussion followed regarding the 5 acres or more to be considered Agricultural. After discussion, a vote was taken and the motion passed with Lonnie Kosch abstaining.

ITEM 6. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS

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

ITEM 7. PROPOSED MEETING DATES FOR 2020

MAJOR SUBDIVISION DEADLINE GUIDE

| RPC MEETING DEADLINE | TECH REVIEW MEETING | SUB REGS COMM. MEETING | RPC MEETING |
|-----------------------------|----------------------------|-------------------------------|--------------------|
| 12-6-19 | 12-23-19 | 12-30-19 | 1-7-20 |
| 1-3-20 | 1-21-20 Tues. | 1-27-20 | 2-4-20 |
| 1-31-20 | 2-18-20 Tues. | 2-24-20 | 3-3-20 |
| 3-6-20 | 3-23-20 | 3-30-20 | 4-7-20 |
| 4-3-20 | 4-20-20 | 4-27-20 | 5-5-20 |
| 5-1-20 | 5-18-20 | 5-26-20 Tues. | 6-2-20 |
| 6-5-20 | 6-22-20 | 6-29-20 | 7-7-20 |
| 7-6-20 Mon. | 7-20-20 | 7-27-20 | 8-4-20 |
| 7-31-20 | 8-17-20 | 8-24-20 | 9-1-20 |
| 9-4-20 | 9-21-20 | 9-28-20 | 10-6-20 |
| 10-2-20 | 10-19-20 | 10-26-20 | 11-3-20 |
| 10-30-20 | 11-16-20 | 11-23-20 | 12-1-20 |
| 12-4-20 | 12-21-20 | 12-28-20 | 1-5-21 |
| | | | |

REZONING APPLICATIONS

| RPC MEETINGS | DEADLINES |
|---------------------|------------------|
| 1-7-20 | 12-16-19 |
| 2-4-20 | 1-13-20 |
| 3-3-20 | 2-10-20 |
| 4-7-20 | 3-16-20 |
| 5-5-20 | 4-13-20 |
| 6-2-20 | 5-11-20 |
| 7-7-20 | 6-15-20 |
| 8-4-20 | 7-13-20 |
| 9-1-20 | 8-10-20 |
| 10-6-20 | 9-14-20 |
| 11-3-20 | 10-12-20 |
| 12-1-20 | 11-9-20 |
| 1-5-21 | 12-14-20 |

A motion was made by Kent Huston to approve the proposed meeting dates for 2020. Melissa Tremblay seconded the motion. Motion passed.

Loudan Klein presented the following bills for payment:

ITEM 8. BILLS

| | | |
|--------|---------------------------|------------------|
| 530005 | CONTRACT SERVICES - OTHER | \$ 175.00 |
| 558000 | TRAVEL & EXPENSES | <u>\$ 143.20</u> |
| | TOTAL | \$ 318.20 |

A motion was made by Ira Weiss to approve the bills for payment. Betsy Alt seconded the motion. Motion passed.

ITEM 9. OTHER BUSINESS

Loudan Klein stated that Dean LaRue will be ending his position as the Agriculture Representative at the end of the year and thanked him for all his years serving on the RPC. Loudan also stated that Betsy Alt will be filling the open Agriculture position. Loudan also announced that Carri Brown has agreed to serve in the At Large position and Sharlene Bails will be Commissioner Steve Davis' alternate.

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Carri Brown invited everyone to attend the Commissioners Holiday Open House on December 10th at noon.

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

Minutes Approved By:

Phil Stringer, President

Kent Huston, Secretary