

# ***Minutes***

## ***Clark County Rural Zoning Commission***

Regular Meeting ~ 9 a.m.  
Thursday, September 15, 2015

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Mr. Ken Brust, Chairperson of the Clark County Rural Zoning Commission of Clark County Ohio, called the meeting to order at 9:02 am. and asked for the Roll Call.

Present For Roll Call: Mr. Ken Brust, Mr. Wayne Leis, Mr. John Hays and Mr. Bob Jurick.

Absent For Roll Call: Mr. Pete Lane.

Chairperson Brust explained how the meeting will be held.

Chairperson Brust asked if there are any comments regarding the minutes. Mr. Hays noted the misspelling of his name on the first page. Hearing no further comments, he asked for a motion to approve the minutes with the correction.

### **Approval of the July 14, 2016 Minutes**

Motion by Mr. Hays, seconded by Mr. Leis, to **Approve** the minutes as corrected.

**VOTE: Yes:** Mr. Hays, Mr. Leis and Mr. Brust.

**No:** None.

**Abstain:** Mr. Jurick.

***Motion carried.***

### **Case #Z-2016-06 ~ Rezoning ~ Property Owners/Applicants: Timothy & Stella Sergent ~ Location 95 S Tecumseh Rd., PID 010-06-00034-403-020, 1.0 acres from B-2 to R-1 and 0 S Tecumseh Rd., PID 010-06-00034-403-030, 0.35 acres from B-3 to R-1; Bethel Township**

Chairperson Brust asked Mr. Neimayer for the Staff Report.

Mr. Neimayer presented the case. The subject properties are located at 95 S. Tecumseh Rd. and 0 S. Tecumseh Rd. and consist of 1.35 total acres. The original zoning map adopted for Bethel Township in November 1964 shows 95 S. Tecumseh Road as B-2 (Community Business District). The 0 S. Tecumseh Road property was rezoned to B-3 (General Business District) in 1980. The Applicants need to get the house property into the proper residential zoning district to satisfy the bank's requirement for refinancing. Hence, the Applicants have filed this rezoning request to rezone both properties from B-2 and B-3 to R-1 (Rural Residence District).

According to the County Auditor's records, the house at 95 S. Tecumseh Rd. was built in 1938. When zoning was adopted as noted above, the house became a legal, non-conforming use. Aerial photography from 1964 shows the Applicants' adjacent property (Parcel -030) was undeveloped and has remained so to the present time. The Applicants have no plans for developing Parcel -030. Other than the existing business and industrial uses at the US 40 and Tecumseh Rd. intersection, as reflected on the zoning map, the surrounding land uses are single-family residential and agricultural use.

# **Minutes**

## **Clark County Rural Zoning Commission**

This part of Bethel Township is identified in the CROSSROADS Land Use Plan as Agriculture/Rural Residential emphasizing agriculture as the dominant land use but also recognizing residential use as appropriate at very low density.

Parcel -030 is 0.35 acres in size with approximately 78 ft. of frontage along S. Tecumseh Rd. Because it is a sub-standard lot under current zoning minimum lot standard requirements, meeting zoning setback requirements and getting Health Department approval for on-site utilities will be challenging. Staff recommends the Applicants' request to rezone the subject properties from B-2 and B-3 to R-1 be approved as presented. Staff also recommends the Applicants combine both parcels into one.

The County Planning Commission met on September 7, 2016 to review this rezoning case. Following discussion, the CPC passed a motion recommending to the Rural Zoning Commission that the Applicants' request to rezone the subject properties from B-2 and B-3 to R-1 be approved as presented with the condition that the two parcels be combined into one.

Mr. Neimayer stated that he would answer questions the Board may have at this time. There were no questions for Mr. Neimayer.

Chairperson Brust asked the Board if they had any questions for the Applicant.

Mr. Jurick asked if the Applicant bought the house from a realtor. Mr. Sergent answered yes. Mr. Jurick then asked if the realtor mentioned how the property was zoned. Mr. Sergent answered no.

Mr. Hays asked the Applicant when he purchased the home. Mr. Sergent stated 1990.

There were no further questions for the Applicant. There were no audience members present other than the Applicant.

Chairperson Brust asked for discussion among the Board.

Mr. Brust asked Mr. Neimayer about the lot combination process and if the Board needed to include it in the motion. Mr. Neimayer explained the lot combination form and process. He told the Board the County Planning Commission included the lot combination in their recommendation and RZC Board could do the same.

Hearing no further questions or comments from the Board, Chairperson Brust asked for a motion.

**Case #Z-2016-06 ~ Rezoning ~ Property Owners/Applicants: Timothy & Stella Sergent ~ Location 95 S. Tecumseh Rd., PID 010-06-00034-403-020, 1.0 acres from B-2 to R-1 and 0 S. Tecumseh Rd., PID 010-06-00034-403-030, 0.35 acres from B-3 to R-1; Bethel Township**

Motion by Mr. Hays, seconded by Mr. Leis to recommend **Approval** as presented with the condition of combining the lots.

**VOTE: Yes:** Mr. Hays, Mr. Leis and Mr. Jurick.

**No:** None.

***Motion carried.***

# Minutes

## Clark County Rural Zoning Commission

### Staff Comments

Mr. Neimayer stated the next scheduled meeting is Thursday, October 13, 2016.

Mr. Neimayer informed the Board that the County Commissioners approved the Lake Road (Ron Boling) rezoning case with the conditions as recommended by the County Planning Commission and by the Rural Zoning Commission.

Mr. Jurick asked Mr. Neimayer to update the Board on the CROSSROADS Land Use Plan update. Mr. Neimayer stated the County, City of Springfield and the CIC, coordinating through the TCC have selected a planning consultant but pending paperwork has delayed the start of the project. He stated once the contract is officially in place the project will get underway guided by a steering committee. Mr. Neimayer told the Board he thought the plan update would be a two-year project.

Mr. Hays asked about the Kroger project. Mr. Neimayer told the Board the annexation and rezoning was pending approval with the (Springfield) City Commission.

Mr. Leis asked if the property next door to the Springview Government Center was considered for the Kroger site. Mr. Neimayer does not believe it was. He stated the office has had multiple contacts this year about the adjacent property. An annexation survey of this property has been prepared.

### Adjournment

#### **RZC: September 15, 2016: Adjournment**

Motion by Mr. Hays, seconded by Mr. Leis, to adjourn.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 9:25 am.

\_\_\_\_\_  
Mr. Brust, Chairperson

\_\_\_\_\_  
Mr. Thomas A. Hale, Secretary