

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 9 a.m.
Thursday, February 14, 2019

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

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

Present For Roll Call: Mr. Ken Brust, Mr. John Hays and Mr. Pete Lane.

Absent For Roll Call: Mr. Bob Jurick, Mr. Wayne Leis and Mr. Larry Spahr.

Approval of the January 10, 2019 Minutes

Motion by Mr. Lane, seconded by Mr. Hays, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Lane, Mr. Hays and Chairperson Brust.

No: None.

Motion carried.

Chairperson Brust explained the public hearing process.

Rezoning Case #Z-2019-01 ~ Property Owners/Applicants: Barry & Tammy Laughlin ~ Location: 5350 Morris Rd.; Moorefield Twp. ~ Request: to rezone 6.0 acres from A-1 to B-2 to use the former club house of the Mitchell Hills Golf Club as an event center.

Mr. Neimayer, Senior Planner, stated the subject property is located at 5350 Morris Rd (PID's 220-03-00010-000-182 & -046) and consists of 62.37 total acres. The property is currently zoned A-1 (Agricultural District). The Applicants would like to split off the existing club house site, 6.0 acres, and rezone it to B-2 to be used as an event center. The Applicants intend to convert the remaining land area to agricultural use. As to the Zoning District, the B-2 zoning district *"is intended to provide for a broad range of primarily retail, professional, and personal service uses which may require substantial frontage for visibility and access, and whose trade areas typically extend beyond a particular neighborhood."* Since the intent of the B-1 (Neighborhood) District is to provide retail and service uses only to the surrounding neighborhood area, Staff directed the Applicants to file for B-2 zoning, which is intended to serve the trade area beyond the immediate neighborhood.

The Comprehensive Land Use Plan identifies this subject area as Rural/Agricultural: *"Areas that are primarily in agricultural use and include single-family residential, agriculture-related buildings, and civic uses. They may also include specific small-scale retail uses."* There is no floodplain in the immediate area of the subject property. The Mitchell Hills Golf Club facility was serviced by on-site well, septic and leach field. Public water and sanitary sewer utilities are not available. Although the subject property has over 1,300 ft. frontage along Mechanicsburg Rd. (SR 4), the Applicants intend on using the existing access drive off of Morris Rd. for access to the event center as well as the adjacent agricultural land. An ingress-egress easement will be required with the actual lot split.

The Applicant's intended use as an event center is very similar in nature of the former golf club house. In recognition of those two uses, and to protect the rural character of the immediate area, Staff recommends the 6.0 acres to be split off be rezoned from A-1 to B-2S (Community Business District, Specific Use) for use as an event center with the condition that there is no direct access to

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Mechanicsburg Rd. Although Health District approval is not required for the lot split being five or more acres, he discussed the need to make sure there is enough room for a replacement leach field area.

Chairperson Brust asked if there were questions for Staff.

Chairperson Brust asked about outside music. Mr. Neimayer responded it (restaurants in B-2 vs. restaurants in B-3) says entertainment. B-2 (by definition) fits the Applicant's need. Chairperson Brust stated under the previous use they would have bands.

Chairperson Brust opened the public hearing at 9:11 a.m. and asked if the Applicants wished to speak.

Mr. Barry Laughlin, Applicant, 5304 Morris Rd, was sworn in. Mr. Laughlin stated that Mr. Neimayer explained the plan. Mr. Laughlin stated he lives at the abutting property south of the former Mitchell Hills Golf Club. He explained when the club decided to sell and they asked him if he was interested in buying the property. Mr. Laughlin stated the club was being used for graduations, weddings and live bands. He stated his intent is to convert the golf course to crop (maybe hay), maintain the landscape, and use the club house as an event center. The swimming pool has a nice filtration system which can be repurposed for a pond. He stated weddings would have music. He stated the original house was built in 1862 and needs some updates. The current cart barns will be used for storage. He stated his intent is to update and use the property for an event center. Mr. Laughlin stated he has lived in the area since 1973. He explained the golf club's membership had dropped to 57 members and the club was having financial issues.

Chairperson Brust asked if there were any audience members wishing to speak for or against this case. Hearing none, he closed the public hearing at 9:16 am.

Chairperson Brust clarified that B-2S will allow for music during receptions.

With no further discussion from the Board, Chairperson Brust asked for a motion.

Action on Rezoning Case #Z-2019-01 ~ Property Owners/Applicants: Barry & Tammy Laughlin ~ Location: 5350 Morris Rd.; Moorefield Twp. ~ Request: to rezone 6.0 acres from A-1 to B-2 to use the former clubhouse of the Mitchell Hills Golf Club as an event center.

Motion by Mr. Lane, seconded by Mr. Hays, to **Approve** as presented.

VOTE: Yes: Mr. Lane, Mr. Hays and Mr. Brust.

No: None.

Motion carried.

Rezoning Case #Z-2019-02 ~ Property Owner: Connie Collier, Trustee ~ Applicant: Jon Stafford ~ Location 0 Snider Rd., PID #180-10-00012-000-049; Mad River Twp. ~ Request: to rezone 2.30 acres from B-3 to B-4 for an indoor self-storage facility.

Mr. Neimayer stated the subject property is undeveloped land located on Snider Rd. north of O-Riley's Auto Parts Store, east of Mad River Twp. government offices, and across from West Enon Church of God. The subject property consists of 4.12 acres and is currently zoned B-3 (General Business District). The Applicant would like to construct two indoor self-storage buildings and is requesting to

rezone the subject property to B-4 for that use. A mini-warehouse or self-storage facility requires B-4 zoning (Heavy Business District).

A self-storage facility is a conditioned use subject to the following: When conducted wholly within a completely enclosed building, said building must not be located within one hundred (100) feet of any R-District, PD District, or existing residential structure. The Comprehensive Land Use Plan identifies this area as: *“Mixed Use, Low Intensity – Large-scale activity centers that may integrate places to work, shop and live in a walkable pattern. These centers should emphasize employment uses with secondary residential and commercial.”* The subject property does lie partially in the 100-year floodplain. The Applicant is aware of the floodplain development application/review process. Both public water and public sanitary sewer service lines are located adjacent to the subject property. Snider Rd. is identified as a Collector Road on the county’s Thoroughfare Plan with a right-of-way of 60 ft. / 30 ft. from centerline. The current right-of-way of Snider Rd. is 30 ft. / 15 ft. from centerline.

Because B-4 zoning would also allow uses that could be incompatible with the church on the opposite side of Snider Rd., Staff recommends rezoning the subject property from B-3 to B-4S (Heavy Business District, Specific Use) limiting the use to indoor self-storage facility use and subject to the Applicant getting the required floodplain development permit approval.

Mr. Neimayer stated there was a letter from the County Engineer’s Department and from the Mad River Township Trustees. The township trustees recommend denial citing the following reasons:

1. The B-4 zoning will open the door to future uses that would not be compatible with the surrounding properties.
2. A large portion of the property is in the floodplain.
3. An additional driveway in that location poses traffic safety concerns.

Mr. Neimayer stated County Planning Commission recommends approval of the rezoning as recommended by Staff. The CPC felt the concerns of the township trustees were addressed by the conditions of the rezoning.

Chairperson Brust asked if there were questions for Staff.

Chairperson Brust stated that everything the township presented in their letter is now mute as documented by the County Planning Commission’s comments. Chairperson Brust stated he did not feel there would be much traffic.

Chairperson Brust opened the public hearing at 9:25 am. and asked if the Applicant wished to speak.

Jon Stafford, Applicant, 9988 Union Road, was sworn in. Mr. Stafford stated the buildings would be very similar to one behind the Dollar Tree store next to the Springview Government Center. He stated he has been to the property with all the recent rain and there is no standing water.

There were no questions for the Applicant.

With no one else in the audience to speak in favor or against this case, Chairperson Brust closed the public hearing at 9:27 a.m.

With no further discussion from the Board, Chairperson Brust asked for a motion.

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Action on Rezoning Case #Z-2019-02 ~ Property Owner: Connie Collier, Trustee ~ Applicant: Jon Stafford ~ Location 0 Snider Rd., PID #180-10-00012-000-049; Mad River Twp. ~ Request: to rezone 2.30 acres from B-3 to B-4 for an indoor self-storage facility.

Motion by Mr. Hays, seconded by Mr. Lane, to **Approve** as presented.

VOTE: Yes: Mr. Hays, Mr. Lane and Mr. Brust.

No: None.

Motion carried.

Zoning Text Amendment Case #ZA-2019-01 ~ A reformatting of the current zoning regulations. Does not involve any text/substance changes.

Mr. Neimayer explained the Zoning Text Amendment, initiated by the Clark County Rural Zoning Commission on November 15, 2018. This text amendment is a reformatting only of the current Clark County Zoning Regulations. This amendment does not involve any text/substance changes. Staff recommends adoption of the reformatting of the current Clark County Zoning Regulations as presented.

Chairperson Brust asked if there were any questions for Staff. There were none.

Chairperson Brust opened the public hearing at 9:31 am. and asked if anyone wished to speak. Hearing none, he closed the public hearing at 9:31 am.

With no further discussion from the Board, Chairperson Brust asked for a motion.

Action on Zoning Text Amendment Case #ZA-2019-01 ~ A reformatting of the current zoning regulations. Does not involve any text/substance changes.

Motion by Mr. Hays, seconded by Mr. Lane, to **Approve** the amendment/reformatting as presented.

VOTE: Yes: Mr. Hays, Mr. Lane and Mr. Brust.

No: None.

Motion carried.

Staff Comments

Mr. Neimayer stated the next scheduled meetings are March 14 and April 11, 2019.

Adjournment

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

VOTE: Motion carried unanimously.

The meeting was adjourned at 9:33 p.m.

Mr. Ken Brust, Chairperson