

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 9 a.m.
Thursday, July 12, 2018

Springview Government Center
3130 E. 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 a.m. and asked for the Roll Call.

Present For Roll Call: Mr. Brust, Mr. Leis, Mr. Hays and Mr. Lane.

Absent For Roll Call: Mr. Jurick and Mr. Spahr.

Chairperson Brust explained how the meeting will be held.

Chairperson Brust asked if there are any comments regarding the minutes. Hearing none, he asked for a motion to approve the minutes.

Approval of the March 15, 2018 Minutes

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

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

No: None.

Motion carried.

Chairperson Brust asked Staff to present the case.

Z-2018-01~ Property Owner/Applicant: Boling Investments LTD; Ron Boling~ Location: 0 Lake Rd.; PID #010-05-00025-201-001; Bethel Twp.-Request: Rezone 12.03 acres from R-4'S' to R-1 to allow for five (5) single-family home lots.

Jennifer Tuttle, Planner, explained the subject property is located on the east side of Lake Rd. south of Schiller Rd, PID #010-05-00025-201-001, and consists of 12.03 acres. The property is currently zoned R-4'S' with the Specific Use designation limiting the development to three parcels and each parcel having a maximum of three family dwelling units. The R-4'S' zoning was approved on August 24, 2016, but the property remains undeveloped. The Applicant, same property owner of the 2016 rezoning case, would now like to rezone the subject property to R-1 to allow for up to five single-family home lots. The west side of Lake Rd. across from the subject property consists of single-family lots ranging from 1.14 acres to 2.96 acres. Behind (east of) the subject property is a large bog area, which is part of a 33-plus acre parcel.

Mrs. Tuttle explained the CONNECT Clark County Land Use Plan identifies the subject area as Rural/Agricultural with land further out as Suburban Living, Low Intensity. Rural/Agricultural is described in the Plan as "Areas that are primarily in agricultural use and include single-family residential, agriculture-related buildings, and civic uses." "Buildings are generally set far back from the roadway on large lots (over one acre)." Suburban Living, Low Intensity is described in the Plan as "Single family homes arranged along wide, curvilinear streets with few intersections and will either front or back onto shared natural areas."

Mrs. Tuttle stated the Soil and Water Conservation District reports the soils on the subject property are all underlain with gravel. The subject area is known to have a seasonal high water table during

wet times throughout the year. The east portion of the subject property will have very poor drainage as the land naturally slopes towards the bog to the east. A seasonal high water table should be expected for this property but can be overcome depending on how deep into the ground a structure was built.

Mrs. Tuttle noted public sanitary sewer service is available to the subject property. Development of single-family homes will use individual wells for water service. She explained the current right-of-way of Lake Road is 40 ft. The new Thoroughfare Plan identifies Lake Road as a Secondary Arterial with a right-of-way of 80 ft. (40 ft. from centerline). As part of the lot split process to create the intended single-family home lots, an additional 40 ft. will be required as a road right-of-way easement. Access to the single-family lots will require review and approval from the County Engineer's Department.

Mrs. Tuttle explained the Subdivision Regulations allow four "new" lots to be split off from the original parcel before a subdivision plat is required. The original parcel is defined as the tax parcel listed on the County Auditor's Records as of January 7, 2007. Planning records show one parcel was already split off from the parent parcel in August 2015. That leaves three additional lots can be split. To create any more lots will require a subdivision plat.

Staff recommends the Applicant's request to rezone the subject property from R-4 'S' to R-1 be approved noting that to create the intended five individual house lots the Applicant will have to go through the major subdivision review process. Mrs. Tuttle explained the County Planning Commission met on July 5, 2018 to review this rezoning case. Following discussion, the CPC passed a motion recommending to the Rural Zoning Commission that the Applicant's request to rezone the subject 12.03 acres from R-4'S' to R-1 be approved as presented.

Chairperson Brust asked if there were questions for Staff. Hearing none, he opened the public hearing at 9:05 am.

Ron Boling, Property Owner & Applicant, 10812 Schiller Rd., Medway, was sworn in. Mr. Boling stated he was changing the property back to single family due to the neighbors' concerns. He stated they were upset about the R-4'S in regards to apartments and not being able to view wildlife. He stated the only reason he was changing back is to make neighbors happy because he is going from nine rental units to five rental houses. He stated he was going to own the homes.

Chairperson Brust asked if the homes would be rental properties. Mr. Boling responded yes, and they would be nice homes and large lots. Mr. Boling stated the main reason for the rezoning is to change from apartments to single-family homes.

Chairperson Brust asked if any audience members wished to speak in favor of the case. There were none. He then asked if there were any audience members wishing to speak against the case.

Cindi Watson, 2581 Lake Rd., was sworn in. Mrs. Watson stated she did not mind single-family homes. She stated she actually preferred it. She stated drainage is an issue in the area. Lake Road has flooded twice. The ditch line is bad and it is not being maintained. She noted she was concerned with five driveways and said it may add to flooding issues. She noted she wanted the Board to take it into consideration. She stated Beech Dr. has also been flooding. She stated she did not want this (development) to create any further flooding/draining issues.

Chairperson Brust asked the Applicant if the homes would have basements. Mr. Boling responded no.

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Lowell Watson, 2581 Lake Rd., was sworn in. Mr. Watson stated he did not want to stop the development, but felt the flooding and drainage issues needed to be looked at. He stated drainage has been an issue, especially after the sewer project. He noted there were ditch issues also. He explained the township is responsible to maintain the ditches, but they have not. He stated he wanted to be proactive because most of the time things are reactive.

Chairperson Brust stated new development will be reviewed by County Engineer's office. He stated that review with this development may help improve drainage issue. He stated the Board could not address the township drainage issue.

Hearing no further comments, Chairperson Brust closed the public hearing at 9:18 a.m. and asked for discussion among the Board.

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

Action on case Z-2018-01 ~ Property Owner/Applicant: Boling Investments LTD, Ron Boling ~ Location: 0 Lake Rd., PID #010-05-00025-201-001, Bethel Twp. ~ Request: Rezone 12.03 acres from R-4'S' to R-1 to allow for five (5) single-family home lots.

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

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

No: None.

Motion carried.

Staff Comments

Mrs. Tuttle updated the Board on the Land Use Committee priorities. She noted that Bob Jurick would give an update at the next meeting.

Mrs. Tuttle stated the next scheduled meetings are August 9 and September 13, 2018.

Adjournment

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

VOTE: Motion carried unanimously.

The meeting was adjourned at 9:22 a.m.

Mr. Ken Brust, Chairperson

Mr. Thomas A. Hale, Secretary