

# ***Minutes***

## ***Clark County Planning Commission***

Regular Meeting ~ 2:00 p.m.  
Wednesday, October 3, 2018

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Chairperson Stevenson of the Clark County Planning Commission called the meeting to order at 2 pm and asked for the Roll Call.

Present For Roll Call: Mrs. Elaine Stevenson, Commissioner Lohnes, Ms. Louise Maurer, Commissioner McGlothlin, Mr. Mark Scholl, Mrs. Jo Anderson, and Mr. Dave Stickney.

Absent For Roll Call: Mrs. Charlene Roberge, Mr. Don Wallace and Commissioner Wilt.

### **Approval of the Minutes**

Motion by Commissioner McGlothlin, seconded by Mr. Stickney, to **Approve** the minutes as presented.

**VOTE: Yes:** Commissioner McGlothlin, Mr. Stickney, Mrs. Stevenson, Commissioner Lohnes, Ms. Maurer, Mr. Scholl, and Ms. Anderson.

**No:** None.

***Motion carried.***

Commissioner Wilt and Mrs. Roberge arrived at 2:04 pm.

### **Time Extension #TE-2018-01 ~ Pinewood Estates Subdivision, Section 3 ~ Location: east of Ballentine Pike at the east stub end of Pinewood Ave., German Twp. ~ Request: Time Extension #6 to record the Final Plat of Section 3.**

Chairperson Stevenson asked for the Staff report.

Mr. Allan Neimayer, Senior Planner, explained that Pinewood Estates, Section 3 consists of 16 lots on 25.535 acres. This subdivision will be serviced by on-site water and sanitary sewer utilities. The Preliminary Plan and Final Plat were originally approved by the County Planning Commission on October 4, 2006. Since receiving Preliminary Plan approval, there have been five Time Extension requests:

- #1 Terry Hoppes for Lon Jenkins (owner/developer) Approved on 9-3-2008; 2 yr. extension
- #2 Terry Hoppes for Lon Jenkins (owner/developer) Approved on 8-4-2010; 2 yr. extension
- #3 Lon Jenkins Approved on 10-3-2012; 2 yr. extension
- #4 Joyce Brown (owner) Approved on 12-3-2014; 2 yr. extension
- #5 Joyce Brown (owner) Approved on 10-5-2016; 2 yr. extension

Mr. Neimayer stated due to the time difference from when the original subdivision was approved, prior to the recording of Section 3 the Applicant will need to submit updated cost estimates, using ODOT estimate format, that reflect current construction pricing items. In addition, the Final Plat of Section 3

will need to be reviewed for compliance with current surveying standards including current property owner information. Mr. Neimayer explained that at the September 13, 2018 Tech Review Committee meeting, Staff was informed that the Health District did not find in their records subdivision approval for Section #3. As a result, the Applicant (or developer) would have to submit proper documentation for each proposed lot for the Health District to review and approve.

In researching the 1997 case file on the Preliminary Plan Application for Pinewood Estates, Staff found a fax transmittal from the Health District indicating approval with conditions for the proposed 45 total lots of the Pinewood Estates Subdivision. Staff followed up with the Health District who responded that 1997 approval, as it relates to Section 3, had expired and a new approval would be required. Mr. Neimayer further explained that due to the current status of the Health District's approval regarding Section 3, and that the Applicant's current Time Extension #5 expires on October 5, 2018, Staff recommends the CPC extend Time Extension #5 to December 5, 2018 to allow the Applicant to provide the required documentation to the Health District for their review/approval.

Commissioner Lohnes asked about the term "on-site utilities" used in the Staff Report. Mr. Neimayer responded it refers to on-site well and septic system.

Mr. Neimayer explained that there was a possibility of a reduction in lots to adhere to current Health District rules. That is why Staff recommends extending Time Extension #5 to Dec. 5, 2018.

Chairperson Stevenson asked if there were any questions for Mr. Neimayer. There were no further questions.

Chairperson Stevenson asked if the Applicant would like to speak.

Joyce Brown, Applicant, 5459 Knollwood Road, stated she needed additional time. She did not realize that she would need to start the (Health District review) process over again. She noted that her husband had passed away and she was trying to continue the development. Ms. Brown asked the Commission for as much time as possible.

With no questions for the Applicant and no further discussion from the Board, Chairperson Stevenson asked for a motion.

**Time Extension #TE-2018-01 ~ Pinewood Estates Subdivision, Section 3 ~ Location: east of Ballentine Pike at the east stub end of Pinewood Ave., German Twp. ~ Request: Time Extension #6 to record the Final Plat of Section 3.**

Motion by Mrs. Roberge, seconded by Commissioner McGlothin, to **Approve** Time Extension #6 as requested subject to: 1) submit updated cost estimates as noted in the staff report; 2) review of the Final Plat by the Tax Map Office and any identified changes shall be made; and 3) work with the Health District for their subdivision approval of Section 3.

**VOTE: Yes:** Mrs. Roberge, Commissioner McGlothin, Commissioner Lohnes, Ms. Maurer, Mr. Scholl, Ms. Anderson, Mr. Stickney and Commissioner Wilt.

**No:** None.

***Motion carried.***

### **Update on Rezoning Cases**

Mr. Neimayer informed the Board that the County Commissioners approved the Ron Boling rezoning case on Lake Rd. on August 15, 2018 and the Linda Ricciardi/BCS Group Ltd. (Crystal Lakes) rezoning case at 50 Walnut Rd. on September 12, 2018.

### **Update on the Land Use Regulations Committee**

Mr. Neimayer updated the Board on revised items concerning the proposed Commercial Vehicle update. He explained he removed the “camper” graphic and the Committee was still drafting the language to prohibit the parking of the semi-trailers.

Mr. Neimayer explained the updated items concerning two dwelling units on one parcel. He explained Accessory Family Suite as a secondary living unit within a single-family detached dwelling for use as a complete living facility vs. Accessory Family Unit as a secondary living unit within an accessory structure. He stated only one (1) accessory family suite or accessory family unit with a max. size of 600 sq. ft. would be allowed. Public water and sanitary sewer is required or lot must be adequately sized for on-site sanitary sewer system for both the principal dwelling and the secondary living unit.

Commissioner Lohnes asked about Health District control. Mr. Neimayer responded the Health District would need to approve for on-site water and septic/leach field.

Ms. Maurer stated she felt 600 sq. ft. was too restrictive. Mr. Neimayer responded the secondary living unit is not intended to be a rental unit. He noted the size restriction would help with the accessory family unit from becoming a rental unit.

Mr. Neimayer explained the request for accessory structure without primary structure. He explained the Committee came up with the following: allowed only in the A-1, AR and R Zoning Districts; lot size equal to or greater than one (1) acre; the accessory structure clearly intended for private, personal or agricultural use; and the accessory structure shall not exceed 1,500 sq. ft. He noted the Committee is still working on determining its location on the lot.

Due to code enforcement issues, Mr. Neimayer explained the need to update the fencing regulations with regard to public right-of-way. He stated the front yard is defined as the front wall of the house to the front property line. He explained the need to add the following language: “No fence shall be installed in the public right-of-way and no setback is required. However, the fence cannot cross over the lot line”.

Commissioner McGlothlin asked about the fence height. Mr. Neimayer responded it would not change.

Mr. Neimayer explained the proposal to eliminate the I-1 and B-4 use connection. He stated B District uses would no longer be allowed in I-1. The I-1 District would strictly be for industrial uses. He also noted the Committee was reviewing separating the current industrial district into I-1 low intensity industrial and I-2 high intensity industrial.

Mrs. Roberge asked if that would prohibit something like a restaurant in an industrial park. Mr. Neimayer responded yes and explained the need to properly zone the property into a mixed use district. Ms. Maurer asked if that was following the comprehensive plan and there should be a separate industrial district. Mr. Neimayer confirmed it is a recommendation from the recently adopted comprehensive plan. Chairperson Stevenson stated she felt removing the B districts was too restrictive. She felt there needed to be more flexibility. Mrs. Roberge stated she also felt it was too

restrictive. Mrs. Tuttle asked the Commission to review and evaluate the B uses and determine if maybe B-3 or B-4 could continue to be permitted uses in the industrial district giving more flexibility and be less restrictive.

### Staff Comments

Mr. Neimayer stated the next scheduled CPC meeting would be November 7 & December 5, 2018.

Mr. Neimayer stated the Cluster Lot amendment was initiated by the Rural Zoning Commission. Publication of the public notice was missed for October. Therefore, this will be heard at the CPC November 7<sup>th</sup> meeting with the RZC public hearing on November 15<sup>th</sup>.

Mr. Neimayer gave an update on Board member attendance and distributed the new attendance policy.

### Adjournment

Motion by Commissioner McGlothlin, seconded by Commissioner Wilt, to adjourn.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 2:44 p.m.

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Mrs. Elaine Stevenson, Chairperson

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Mr. Thomas A. Hale, Secretary