

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 p.m.
Wednesday, November 7, 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 2:00 pm. and asked for the Roll Call.

Present For Roll Call: Mrs. Elaine Stevenson, Commissioner Lohnes, Ms. Louise Maurer, Commissioner McGlothlin, Mrs. Charlene Roberge, Mr. Mark Scholl, Mrs. Jo Anderson and Mr. Don Wallace.

Absent For Roll Call: Mr. Dave Stickney and Commissioner Wilt.

Excuse Absence of Board Members

Motion by Mrs. Anderson, seconded by Mrs. Roberge, to approve the absence of Commissioner Wilt and Mr. Stickney due to family funeral.

VOTE: Yes: Mrs. Anderson, Mrs. Roberge, Mrs. Stevenson, Ms. Maurer, Commissioner McGlothlin, Mr. Scholl and Mr. Wallace.

No: None.

Abstain: Commissioner Lohnes

Motion carried.

Mr. Wallace asked about new attendance policy. Mr. Neimayer explained that it was adopted in September.

Commissioner Lohnes explained his voting to abstain. He stated he felt the Commission members and County Commissioners should be excused separately – separate motions. He stated the attendance policy does not technically apply to County Commissioners as they are required by the Ohio Revised Code to serve on the County Planning Commission. Chairperson Stevenson stated that was fine and in the future separate motions should be made. Mrs. Roberge stated she did not think it really made a difference if the County Commissioners are exempt anyway.

Approval of the October 3, 2018 Minutes

Motion by Mrs. Roberge, seconded by Commissioner McGlothlin, to **Approve** the minutes with the addition of the September 5, 2018 date on the minutes approval line.

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

No: None.

Abstain: Mr. Wallace.

Motion carried.

Chairperson Stevenson asked for staff to present the case.

Zoning Text Amendment #ZA-2018-01 ~ Initiated by the Rural Zoning Commission ~ Request: to delete all reference to “cluster lotsplit” as an optional type of lotsplit: Chapter 2, Section A, 2, b) and Footnote 4.

Mr. Allan Neimayer, Senior Planner, stated the purpose of this zoning text amendment is to delete all reference to ‘cluster lotsplit’ as an optional type of lotsplit: Chapter 2, Section A, 2, b) and Footnote 4. He showed some graphics to further explain the request. Cluster lots have a shared common drive with reduced frontage, which leaves more farmland. The Technical Review Committee (TRC) gave a presentation to the CPC at their June 7, 2017 meeting regarding ‘cluster lotsplit’. The TRC identified several areas where the cluster lotsplit concept has not worked as intended and in some cases has caused problems. Some issues are: administrative review (no public notice); no consistency with establishing front, side and rear yard areas; combining cluster lots into one lot; was never intended to split existing farm houses or existing homes. Mr. Neimayer showed some sample cluster lots. He explained following that June 2017 the CPC agreed with the TRC and passed a motion supporting cluster lotsplits be removed from the county’s land use regulations. The Rural Zoning passed a motion at their September 13, 2018 meeting to initiate the zoning text amendment process to remove cluster lotsplit from the zoning regulations. Mr. Neimayer stated based on discussion of the subject matter at the CPC June 7, 2017 meeting, Staff recommends that the county zoning regulations be amended to delete all reference to cluster lotsplit as an optional type of lotsplit: Chapter 2, Section A, 2, b) and Footnote 4.

Commissioner Lohnes noted that someone could still get the type of lot, but it would work through the BZA for approval. Mr. Neimayer responded yes. He explained that the BZA has been approving lots with 50 ft. frontage minimum which allows for future (public) utilities.

Commissioner Lohnes mentioned the public sanitary sewer connection being enforced with the sales of homes. He noted the Health District is enforcing connection to public sanitary sewer when it is within 200 ft. He noted the Commissioners are pushing for at least 400 ft. Chairperson Stevenson stated the current rule is 200 ft. from the foundation of the home. She stated if public sanitary sewer was required with some of the examples of cluster lots shown, it would be a huge cost to get down the drives. She noted she felt that was another reason to do away with cluster lots. She also noted the lanes/drives are not being maintained and some cannot handle EMS. She stated the County Planning Commission should always evaluate EMS services.

Chairperson Stevenson asked if there were any further questions for Mr. Neimayer. With no further discussion from the Board, Chairperson Stevenson asked for a motion.

Zoning Text Amendment #ZA-2018-01 ~ Initiated by the Rural Zoning Commission ~ Request: to delete all reference to “cluster lotsplit” as an optional type of lotsplit: Chapter 2, Section A, 2, b) and Footnote 4.

Motion by Mrs. Roberge, seconded by Mrs. Anderson, to **Approve** the county zoning text amendment as presented.

VOTE: Yes: Mrs. Roberge, Mrs. Anderson, Commissioner Lohnes, Ms. Maurer, Commissioner McGlothlin, Mr. Scholl, and Mr. Wallace.

No: None.

Motion carried.

Update on Land Use Regs Committee

Mr. Neimayer updated the Commission on the proposed language for accessory structure without primary structure. Chairperson Stevenson asked if there should be a timeframe for building the primary. Mrs. Roberge stated there could be economic issues preventing someone from building within the timeframe. She asked what would happen. Mr. Neimayer stated enforcement would be difficult. Ms. Maurer stated some in surrounding counties are using this method as a way to avoid taxes. Commissioner McGlothin stated he felt the sq. ft. should match the accessory structure chart.

Mrs. Tuttle explained the proposed incidental camping language. She gave two examples of issues going on where zoning regulations were not strong enough to enforce camping or living in a camper. She explained the text was still an early draft and legal counsel was still reviewing the draft text. Commissioner Lohnes stated the Health District could take care of the issue. Mrs. Tuttle explained that she contacted the Health District on both cases. She explained the Health District helped in the case where there was sewage leaking from the camper, but they could not enforce living in a camper. She also explained they only enforce when there are four or more campers and there is an exchange of money for camping. Mrs. Tuttle explained that although the current text states no fixed connections to utilities and the camper cannot be used as a dwelling, legal counsel has stated that was not enough language. Mr. Wallace stated he felt it was too generous (number of days). Mrs. Roberge noted she felt generators should be covered.

Mrs. Tuttle explained the need to update the non-conformity section. She explained it would be best to break out as lots of record, land use and structures. She explained it would explain continuation, discontinuance, non-conforming accessory structures, extensions and enlargements, and damage or destruction. She explained it was still in draft mode waiting for committee comments.

Mr. Neimayer explained the proposed new Mixed Use Districts. He explained the districts were in response to the new comprehensive plan. He noted the district would be different than the planned districts. Chairperson Stevenson asked if signage would be addressed. Mrs. Roberge noted signage should be addressed in the mixed use area due to electronic signs. She also noted sidewalks should be required.

Other Business

Mr. Neimayer informed the Board that the meeting calendar had been prepared, but there are a few issues. He asked the Board if they wanted to meet on January 2 or 9, 2019. It was agreed to meet January 9th. The Board also agreed to meet on July 2, 2019 instead of July 3rd, and to meet on January 8, 2020.

Mrs. Anderson announced her retirement from Wright-Patterson Air Force Base but she will remain on the County Planning Commission. Mrs. Anderson then introduced Fred Tito, Wright-Patterson Air Force Base, who will be taking over Mrs. Anderson's planning duties at WPAFB. Mr. Tito was welcomed.

Staff Comments

Mr. Neimayer reminded member about the Planning & Zoning Workshop on Dec. 7, 2018.

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

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Adjournment

Motion by Mrs. Roberge, seconded by Commissioner Lohnes, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:55 p.m.

Mrs. Elaine Stevenson, Chairperson

Mr. Thomas A. Hale, Secretary