

MINUTES

November 5, 2024

The minutes of the Regional Planning Commission meeting held at the Fairfield County Records Center, 138 West Chestnut Street, Lancaster, Ohio, and via livestream and conference call.

Presiding: Jennifer Morgan, President

Present: Josh Anders, Amie Cohen, Joe Ebel, Gail Ellinger, Amanda Everitt, Ralph Hedrick, Jennifer Henery, Charles Hockman, Kent Huston, Jarrod Mahaffey, Gina Matos, Darrin Monhollen, Robert Slater, Carly Sparrow, Tony Vogel, Ira Weiss, Rod Williams, Jeff Williamsen and Commissioner Dave Levacy.

RPC Staff: Holly Mattei, Josh Hillberry, Nicholas Eastham and Sharlene Bails.

ITEM 1. MINUTES

The minutes of the October 1, 2024, Fairfield County Regional Planning Commission meeting, were presented for approval. Ira Weiss made a motion for approval of the minutes. Kent Huston seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Jennifer Morgan welcomed everyone to the meeting.

Nicholas Eastham presented the following reports:

ITEM 3. ZONING MAP AMENDMENT

APPLICANT: Buck Spires

LOCATION & DESCRIPTION: The property proposed to be rezoned is located at 4100 Raver Court, Lancaster, OH 43130. The application does not describe the area to be rezoned other than by address. Per the Fairfield County Auditor's site, the parcel number for this address is 0040065200, which is one lot that contains 0.91 acres. The application should clearly denote the area to be rezoned.

EXISTING ZONING: The property is currently zoned RR – Rural Residential District. According to the Berne Township Zoning Code, this district's purpose is to provide areas for large lot single family residential development reflecting very low density and a rural lifestyle.

EXISTING LAND USE: Residential

PROPOSED REZONING: PRB – Planned Rural Business District. According to the Berne Township Zoning Code, this district’s purpose is to provide for a limited business activity in locations where commercial activity as permitted in the GB District would be inappropriate.

PROPOSED LAND USE: Display site for model sheds/storage space.

	ADJACENT ZONING	ADJACENT USES
NORTH	RR Rural Residential	Commercial
EAST	RR Rural Residential	Agricultural
WEST	RR Rural Residential	Agricultural
SOUTH	RR Rural Residential	Agricultural

STAFF RECOMMENDATION:

The proposed site is along US 33 and is an appropriate location for a business zone. However, there are several items that the applicant should address prior to the Township approving the proposed rezoning. The RPC Staff recommends modification of the proposed rezoning for the following reasons:

1. A site plan was not included with the application, which must show the specific location of all existing and proposed buildings, setbacks and yards, existing and proposed vegetation, landscaping, and other prominent physical features. RPC staff recommends that a site plan be submitted prior to the Township’s public hearings on this rezoning.
2. There is no mention of potential well and septic systems that would need to be properly decommissioned if they have not already been decommissioned. The Township should require this question to be answered prior to approving a rezoning for this property.
3. According to the Soil and Water Conservation District, there may be a need for stormwater detention. RPC recommends that the applicant work with the Soil and Water Conservation District to address this issue.

Note: The following comments are general comments provided to the township that it should consider for all rezonings. RPC staff are willing to work with the township to ensure these items are included in their zoning code and properly addressed going forward.

- The Township does not appear to have a Zoning Amendment application. The Township utilized a Zoning Permit form and modified it to reflect a Zoning Amendment application. The application was submitted by the Zoning Inspector and not the property owner and does not have a signature from the applicant. Since rezonings are a legislative matter, we recommend that a notarized signature of the applicant be required on this and

- all future Zoning Amendment applications.
- There is no legal description or parcel number included to be rezoned listed on the application. A Zoning Amendment application should include clear information of the area to be rezoned to avoid future legal challenges.

A motion was made by Ira Weiss to approve the RPC staff recommendation. Amanda Everitt seconded the motion. The motion passed.

ITEM 4. ZONING TEXT AMENDMENT

ITEM 4a. APPLICANT: Liberty Township

Liberty Township has submitted several proposed changes to its zoning code. The proposed changes affect Article III; Section 9.2 (G)(2C). A summary of these changes is summarized below.

SUMMARY OF CHANGES

- a) Article III
 - 1) Adds definition for “right of way.”
 - i) “The right to use land owned by others for a specific purpose.”
 - 2) Adds definition for “easement”
 - i) “Property interest that grants the right to use the land of another.”
 - 3) Adds definition for “access easement.”
 - i) “Conveys the right of ingress and egress to a tract of land to someone other than the owner.”
- b) 9.5(G)(2C)
 - 1) Changes minimum frontage from 60 feet to 80 feet.
 - i) “Parcels greater than 14.99 acres shall require a minimum of Eighty (80) feet of Frontage.”

AGENCIES’ COMMENTS

- a) The RPC staff distributed the proposed rezoning to the following agencies:
 - 1) Fairfield County Engineer’s Office (FCEO).
- b) The FCEO did not have any comments.

ANALYSIS

- a) Article III
 - 1. RPC staff believes that the term easement is a general term that describes a property interest that grants the right to use the land of another. We therefore do not have any comments on the proposed definition for easement.
 - 2. We further believe that in planning and zoning, the term right-of-way describes the physical strip of land that is intended to be occupied by public transport and

infrastructure. A right way can be in the form of an easement or it can be dedicated by fee simple title to a public entity.

3. We also believe that an access easement is a type of specific easement that grants the rights of ingress and egress to a tract of land. In subdivision regulations and zoning, access easements are typically granted to the property and run with the land to ensure access is maintained as land ownership changes. For this reason, RPC staff believes the term access easement should reference the property and not the owner.

- b) 9.5(G)(2C) - No comments.

STAFF RECOMMENDATION

The Staff recommends modification of the proposed amendment. Staff recommends making minor changes to the definitions for Right of Way and Access Easement to address the comments in the above analysis.

Right of Way: ~~The right to use land owned by others for a specific purpose~~ A strip of land that is dedicated by fee simple title or by easement, typically to a public agency or utility, that is occupied or intended to be occupied by transportation facilities, public utilities, street drainage ditches or other special public uses.

Access Easement: A type of easement that grants ~~that conveys~~ the right of ingress and egress ~~to~~ across a tract of land to a different tract of land. ~~someone other than the owner~~

The RPC Staff further recommends that the township consult with the Fairfield County Prosecutor's office prior to adopting the proposed definitions to ensure that these definitions are addressing all legal requirements.

A motion was made by Gail Ellinger to approve the RPC staff recommendation. Amanda Everitt seconded the motion. The motion passed.

ITEM 4b. APPLICANT: Greenfield Township

Greenfield Township has submitted a proposed change to its zoning code. The proposed change affects Section 310.06 (A).

SUMMARY OF CHANGES

- a) Section 310.06 (A)
 - 1) Changes the minimal parcel size for R-1 Rural Residential from 1.5-acres to 2.0-acres.

AGENCIES' COMMENTS

- a) The RPC staff distributed the proposed rezoning to the following agencies:
 - 1) Fairfield County Engineer's Office

- 2) Fairfield Soil and Water Conservation District
 - 3) Fairfield County Utilities
 - 4) Environmental Health from the Fairfield County Health Department
- b) None of these agencies had any significant comments.

ANALYSIS

The Fairfield County Comprehensive Plan recommends 1 dwelling unit for every 2.0-acres as the standard lot size for Rural Residential development (p. 72) and further shows Rural Residential as the future land use for the northeast corner of the Township. This proposed amendment brings the Township's zoning in alignment with the Comprehensive Plan.

STAFF RECOMMENDATION

The proposed amendment is satisfactory. The RPC Staff recommends approval of this zoning resolution amendment because it is consistent with the comprehensive plan.

A motion was made by Charles Hockman to approve the RPC staff recommendation. Kent Huston seconded the motion. Joe Ebel, Bob Slater and Tony Vogel discussed the 2.0 acre minimum parcel size change. After discussion, the motion passed.

ITEM 5. APPROVAL RPC 2025 FINAL BUDGET

Holly Mattei presented the 2025 Final Budget for approval by the board.

A motion was made by Ira Weiss to approve the 2025 Final Budget. Amanda Everitt seconded the motion. The motion passed.

ITEM 6. RFQ FOR PROFESSIONAL AND TECHNICAL SERVICES

A request for qualifications for professional and technical services was posted. It was recommended to approve the proposal received from Crossroads Community Planning, LLC for January 2025 to December 2025 at \$11,650 a month.

A motion was made by Darrin Monhollen to approve the proposal submitted by Crossroads Community Planning, LLC. Jennifer Henery seconded the motion. The motion passed with Commissioner Levacy abstaining.

ITEM 7. BUILDING DEPARTMENT APPLICATIONS

RPC staff presented a list of building permit applications under review.

ITEM 8. BILLS

Holly Mattei presented the following bills for payment:

530000	Contractual Services		<u>\$11,000.00</u>
		TOTAL	\$11,000.00

A motion was made by Amanda Everitt to approve the bills for payment. Jennifer Morgan seconded the motion. Motion passed.

ITEM 9. OTHER BUSINESS

Holly Mattei updated the board on the following:

A public hearing will be held on December 3, 2024, at 6:00 p.m. regarding the revisions to the Fairfield County Subdivision Regulations.

There being no further business, a motion was made to adjourn the meeting by Amanda Everitt and seconded by Rod Williams. Motion passed.

Minutes Approved By:

Jennifer Morgan, President

Kent Huston, Secretary