

## DEVELOPMENTAL CONTROLS COMMITTEE

February 1, 2022

The Developmental Controls Committee of the Lima-Allen County Regional Planning Commission held a meeting on Tuesday, February 1, 2022, at 3:00 p.m. in the Conference Room of the Commission office located at 130 West North Street Lima, Ohio.

The agenda was as follows:

1. Roll Call
2. Approval of Agenda
3. Approval of DCC Minutes – December 7, 2021
4. Staff Recommendation: Replat of the Brookline Subdivision No. 1
5. Other
6. Adjournment

For the good of the order, attendance was called, and with a quorum present in person, Chuck Schierloh brought the meeting to order and proceeded with the agenda.

### 1. ROLL CALL

Mr. Kevin Cox	Perry Township
Mr. Doug Post	Amanda Township
Mr. Chuck Schierloh	City of Lima
Ms. Beth Seibert	Allen County
Mr. Dave Stratton	Allen County
Mr. Kim Stiles	Allen County
Mr. Steve Ewing	Auglaize Township

### GUESTS

Mr. Ken Meyer	Bath Township
Mr. Danny Kolhorst	Applicant
Mr. Brad Core P.E., P.S.	Core Consulting
Mr. John Core	Core Consulting

### STAFF

Mr. Adam Haunhorst	Lima-Allen County Regional Planning Commission
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### 2. APPROVAL OF AGENDA

#### **Motion 01 (02-01-2022) DCC**

Kevin Cox made the motion that the agenda be approved. Seconded by beth Seibert, motion carried.

### 3. APPROVAL OF DCC MINUTES – December 07, 2021

#### **Motion 02 (02-01-2022) DCC**

Kevin Cox made the motion that the DCC minutes of December 07, 2021, be approved. Seconded Beth Siebert; motion carried.

**4. STAFF COMMENTS: Perry Township Zoning Variance PE-V01-22**

Adam Haunhorst reported that Daniel Kohlhorst of Lima, Ohio, owns the subject parcel. The 10.68-acre parcel has access along Hume Road. The owner is interested in performing a land transfer to an adjacent parcel and leaving a remainder of approximately 7.934 acres. This land division would leave the remaining parcel with approximately 623.91' of frontage along Hume Road. The proposed 3.871-acre parcel would have 176.66' of frontage and extend back 886.01'. This far exceeds the width to depth ratio allowable per Allen County Subdivision Regulations. Please see attached surveys for a clear representation of the planned land division.

Allen County Subdivision Regulations require a maximum width to depth ratio for this sized parcel of approximately 1:4.19. The proposed parcel would have 176.66' of total frontage along Hume Road. This would allow a max depth of 740.21', far less than the proposed 886.01'.

Staff cannot approve this proposed land division due to its non-compliance with the Allen County Subdivision Regulations. Staff discussed the site's non-compliance and concluded that a county variance would need to be issued before the division could be completed. Based on the stipulations of HB 22, such a land division would need to receive a variance from the Regional Planning Commission.

**5. STAFF RECOMMENDATION: Perry Township Zoning Variance PE-V01-22**

Staff recommends denial of the variance petition as submitted. This decision is based on the widely applicable precedent the variance would set within the county. In addition, the property owner owns ample land to the east of the proposed split to create a conforming lot. The owner also can shorten the proposed parcel, or more significantly, increase the proposed parcel to greater than five acres (Regional Planning has expressed this with the citizen on several occasions). While LACRPC acknowledges the landowner has concerns about the reduced remainder, this agency does not believe that those concerns constitute a major hardship as opposed to an inconvenience.

- Adam Haunhorst gave the floor to Mr. Kohlhorst to explain his case in more detail. Mr. Kohlhorst explained the hardship he would face if the proposed lot was made larger (difficulties getting the ground farmed).
- Mr. Core asked if the lot was shortened if the split could be accomplished without a variance. Mr. Haunhorst responded in the affirmative.
- Mr. Haunhorst further elaborated on the difficulties the property layout have on laying out a conforming lot.
- Mr. Schierloh asked about lot dimensions and the level of deficiency for the proposed parcel. Mr. Haunhorst provided a rough estimation of the deficient frontage. Mr. Cox asked for clarification of the question.
- Mr. Schierloh asked about how the frontage was calculated. Mr. Haunhorst gave the calculations.
- Mr. Kohlhorst again asked how much additional width was required in order to be within county standards. Mr. Haunhorst responded by giving the width to depth ratio that need be adhered to. Total frontage needed was clarified to be 206.68'. Approximately 26' more than was provided by the proposed conditions.
- Mr. Core asked if Mr. Haunhorst was using an average parcel width or the true frontage. Mr. Haunhorst clarified that he has to use the frontage of the parcel at the front property line. Mr. Core asked if an average was used, would the parcel pass the width to depth ratio. Mr. Haunhorst responded with no.

- Kevin Cox expressed that Perry Township was in favor of granting the variance and denying staff recommendations, and that he understands the hardship faced by the property owner.
- Mr. Post expressed that these kinds of variances were granted frequently in that past.
- Mr. Schierloh asked for visual representation of the necessary extra distance. Mr. Haunhorst showed him on the display within the conference room.
- Mr. Haunhorst stated the agency's history with the width to depth requirements.
- Mr. Haunhorst clarified both what the vote was for and that this is the final vote as this is a county level variance.

**Motion 03 (02-01-22) DCC**

Beth Siebert made a motion to deny the staff recommendation and in turn grant the variance petition. This motion was seconded by Steve Ewing, motion carried. Kevin Cox abstained.

**6. STAFF COMMENTS: Bath Township Zoning Petition BA-01-22**

The applicant requests to rezone a portion of one (1) parcel located in Bath Township from RU Rural District to R-1 Residential to facilitate the development of single-family housing. Both public sewer and municipal water are present on the site. No wetlands, historical, or archaeological factors were found compromising the site. A FEMA identified a special flood hazard area within the site's boundary. Still, all construction activities should be outside of that area. Soil data reflects several different parts, including Blount Silt Loam, Glynwood-Urban Land Complex, Glynwood Clay Loam, Glynwood Silt Loam, Pewamo Urban Land Complex, and Shoals Silt Loam, some of which are hydric.

The area proposed to be rezoned totals approximately 32.497 acres. The site has no direct frontage, but a stub street is available for continuation into the proposed development (Canyon Dr.). The area is proposed to serve as a future single-family condominium development site. The property has access to Canyon Drive, federally classified as a local roadway. This roadway has experienced zero (0) traffic crashes over the 2017-2021 period. The roadway is not listed on the access management plan and therefore is not subject to its restrictions. At this time, no formal Overall Development Plan has been submitted to LACRPC for consideration, so the traffic impact of this proposed development is not known.

This proposed re-zone is in contradiction with the Bath Township 2040 Comprehensive Plan. With this in mind, the township has shown a large amount of support for the development of this area. The proposed re-zone would not create a spot zone, nor would it seem out of place with the surrounding neighborhood. This proposed rezoning would help utilize an otherwise vacant golf course and provide more housing to local residents.

**7. STAFF RECOMMENDATIONS: Bath Township Zoning Petition BA-01-22**

Staff recommends approval of the BA-01-22 rezoning request. This rezoned parcel would facilitate the development of the proposed single-family housing. While this does contradict the township's 2040 comprehensive plan, the township has expressed its interest in this site and has previously voted to rezone other portions of the parcel similarly. Additionally, this rezone does not create other conflicts with the surrounding area.

- Mr. Haunhorst explained that no formal plans had been submitted to this agency for the proposed subdivision so he thought it inappropriate to share the tentative drawings with the committee.
- Mr. Cox asked about the parcels floodplain designations. Mr. Haunhorst explained that a portion of the parcel was within the floodplain, but as long as the development was outside of that area there was no conflict with the zoning.
- Ms. Siebert asked if the proposal went through Bath Township first. Mr. Haunhorst

responded in the affirmative.

- Ms. Siebert asked Ken Meyer if the township opinion was in line with regional planning's, he responded with yes.
- Dave Stratton expressed his support for the project.

**Motion 04 (02-01-22) DCC**

Kevin Cox made a motion to approve the staff recommendation. This motion was seconded by Doug Post, motion carried.

**8. STAFF COMMENTS: Bath Township Zoning Petition BA-02-22**

The applicant requests to rezone one (1) parcel located in Bath Township from RU Rural District to B-2 business to facilitate the expansion of the existing Ohio CAT business, located just west of the proposed parcel. Both public sewer and municipal water are present at the site. No wetlands, floodplains, historical, or archaeological factors compromised the site. Soil data reflects several different parts, including Blount Silt Loam, Glynwood Loam, and Pewamo Silty Clay, some of which are hydric.

The parcel proposed to be rezoned totals approximately 10.01 acres. The frontage is approximately 337.66'. The property fronts on Bluelick Road, which is federally classified as a Major Collector. This roadway has experienced ten (10) traffic crashes over the 2017-2021 period (Including one fatal and four serious injuries). In addition, the roadway is listed on the Allen County Access Management Plan and therefore is subject to its restrictions. The high severity of the crashes on this section of roadway and the status of the roadway on the access management plan raises some questions as to what effect the proposed rezoning and future development would have on road conditions and traffic safety. Therefore, a traffic impact study may be warranted before future development.

This proposed rezone is in agreement with the Bath Township 2040 Comprehensive Plan. Additionally, the proposed rezone would not create a spot zone, nor would it conflict with the proposed residential development to the south.

**9. STAFF RECOMMENDATIONS: Bath Township Zoning Petition BA-02-22**

Staff recommends approval of the BA-02-21 rezoning request. This rezoned parcel would facilitate the development of a local business and foster development within the county.

- Mr. Stratton expressed his support for the project. The agency did have to remind Mr. Stratton that he was unable to vote while not in person.

**Motion 05 (02-01-22) DCC**

Mr. Ewing made a motion to approve the staff recommendation. This motion was seconded by Beth Siebert, motion carried.

**10. OTHER**

- Mr. Haunhorst expressed that there is a significant amount of subdivision activity in the community at the moment that will be before this body soon, and that he expects a DCC meeting to take place in 2 weeks.

**11. ADJOURNMENT**

**Motion 06 (07-06-21) DCC**

Kevin Cox made the motion that the meeting be adjourned. Doug Post seconded, motion carried.