

DEVELOPMENTAL CONTROLS COMMITTEE

December 20, 2022

The Developmental Controls Committee of the Lima-Allen County Regional Planning Commission held a meeting on Tuesday, November 8, 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- November 8, 2022
4. Staff Recommendation- Kempher Replat, Jackson Township
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. Brad Baxter	Bath Township
Mr. Kevin Cox	Perry Township
Mr. Jerry Gilden	Marion Township
Mr. Chuck Schierloh	City of Lima
Ms. Beth Seibert	Commissioner
Mr. Dave Stratton	AEDG

GUESTS

Paul Masters	Jackson Township Resident
Julia Kempher	Applicant/Jackson Township Resident
Randy Ackerman	Jackson Township
Dick Morrissey	Kempher Project Engineer
Kurt Neeper	Jackson Township Resident

STAFF

Mr. Adam Haunhorst	Lima-Allen County Regional Planning Commission
Ms. Shaunna Basinger	Lima-Allen County Regional Planning Commission

2. APPROVAL OF AGENDA

Motion 49 (12-20-22) DCC

Brad Baxter made the motion that the agenda be approved. Seconded by Kevin Cox, motion carried.

3. APPROVAL OF DCC MINUTES – November 8, 2022

Motion 50 (12-20-22) DCC

Kevin Cox made the motion that the DCC minutes of November 8, 2022, be approved. Seconded Jerry Gilden; motion carried.

4. STAFF RECOMMENDATION: Jackson Township- Kempher Replat

Haunhorst began by giving an overview of the Kempher replat stating that it was built about two years ago (2020) and due to a miscommunication or mistake the property was built on an easement owned by multiple county agencies. Haunhorst then went through the staff recommendation stating that there is no ground to recommend denial. Haunhorst then allowed members of the committee or guests to speak on the matter or ask any questions. A lengthy discussion followed with multiple representatives sharing grievances and concerns:

Mr. Paul Masters spoke to his major concerns which included jeopardizing the consistency of the neighborhood developments, that this will set a precedent for other land owners in the future, and other issues which were considered civil court/HOA issues and not under the purview of the DCC. (Note: Sugar Creek has no HOA).

Kemper and her engineer gave some background on how the issues came about stating that the oversight lies with township officials and the developer but that once it was discovered the proper steps were taken to address it, that being replat which would create a clean title for the owners. Dick Morrissey clarified throughout the meeting that this replat does not concern any of the HOA-like issues many were discussing.

Brad Baxter made comment that the responsibility lies with the owners to do the due diligence on the land they purchased and plan to develop.

Kurt Neeper spoke of his concerns stating his background in realty and its relevance. Speaking further, Neeper shared the same concern that Master's had of consistency, HOA issues, and that this responsibility should begin and end with the homeowners.

Motion 51 (12-20-22) DCC

Kevin Cox made the motion to accept the staff recommendation upon the condition that the easement holders approve and sign. Seconded by Beth Seibert, motion carried.

5. OTHER

7. ADJOURNMENT

Motion 52 (12-20-22) DCC

Brad Baxter made the motion adjourn. Seconded by Brad Dave Stratton; motion carried.