

DEVELOPMENTAL CONTROLS COMMITTEE

December 3, 2024

The Developmental Controls Committee of the Lima-Allen County Regional Planning Commission held a regular meeting on Tuesday, December 3, 2024, at 3:00 p.m. in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio 45801.

For the good of the order, attendance was called and a quorum was present, Chuck Schierloh brought the meeting to order at 3:00 pm and proceeded with the agenda.

1. ROLL CALL

Brad Baxter	Bath Township
Mark Bishop	American Township
Kevin Cox	Perry Township
Steve Ewing	Auglaize Township
Joe Gearing	Allen County
Zach Gerdeman	Allen County
Jerry Gilden	Marion Township
Todd Lause	Shawnee Township
Chuck Schierloh	City of Lima
Beth Seibert	Allen County
Dave Stratton	Allen County

GUESTS

Ken Meyer	Bath Township
Randy Jones	Applicant for Amendment

STAFF

Cody Doyle	Lima-Allen County Regional Planning Commission
Adam Haunhorst	Lima-Allen County Regional Planning Commission
Liwen Kang	Lima-Allen County Regional Planning Commission
Rebecca Phillips	Lima-Allen County Regional Planning Commission
Tonya Dye	Lima-Allen County Regional Planning Commission

2. APPROVAL OF AGENDA

Motion 61 (12-03-24) DCC

Mr. Ewing made the motion to approve the agenda for December 3, 2024. It was seconded by Mr. Gearing. The motion carried.

3. APPROVAL OF DCC MINUTES – October 22, 2024 (held), November 5 and November 19, 2024 (canceled)

Motion 62 (12-03-24) DCC

Mr. Baxter made the motion that the Minutes from October 22, November 5, and November 19, 2024 be approved. Seconded by Ms. Seibert. The motion carried.

4. STAFF RECOMMENDATION: Bath Township Zoning Amendment BA-05-24

Mr. Haunhorst brought forth the Bath Township Zoning Amendment (BA-05-24). This involves the potential rezoning of 235.54 acres from an RU Rural District to an R-1 Residential district for the purpose of creating additional single-family residential lots. The site is located on the east of Fetter Road and to the north of an existing rail line. The site had been a golf course, which has been defunct for several

years, and now contains an event space, which would be non-conforming under the potential new rezoning. The township's comprehensive plan calls for the space to remain as a recreational area. The area zoning is a mix of R-1, RU, and M-1, so it would match current area uses. However, as one of the largest areas of open land in the township, it ranks high on the LESA analysis to remain undeveloped.

One of the issues of concern for LACRPC is that townships and taxpayers would have to absorb the cost of infrastructure development and subsequent maintenance with fewer resources. The site does have public water, but no public sewer. It has been indicated that public sewer is anticipated at a future date.

Mr. Haunhorst also spoke about safety concerns. While the parcel has the recommended road frontage, it is split between two areas. It also directly abuts the railroad right of way, making the usability of that access point dependent upon whether or not a train is present. In case of serious emergency, the 80' entrance is the only reliable ingress/egress and that could put a strain on emergency workers trying to reach a site within the complex and/or having residents evacuate the site.

It is the staff's recommendation to **DENY** the zoning petition based on conflict with the township comprehensive plan, safety concerns, conflict with the zoning resolution, and access concerns.

The Chair asked for a discussion on the proposal, to which many committee members participated. Mr. Baxter mentioned that they are discussing changes to the long-range plan and that mixed-use zoning is one of the items being considered. He also mentioned that the township cannot maintain any roadway under 60 feet for emergency access. This would also mean snow removal, which would eliminate the secondary ingress/egress route from consideration if an emergency occurred.

One delegate mentioned that the agency should limit the use of denials because of the weight they carry with townships and that more work needs to be done to ensure development moves forward despite concerns. He also mentioned that the population and housing stock have decreased in Bath township, which indicated to him that more housing was needed to reverse these declines. It was countered that a declining population may indicate that more housing was not needed in the region, or that different levels of housing stock were necessary. Part of the counter was that by building new housing and increasing the infrastructure needs, older housing stock that could be rehabilitated within the township and the county would increase and negatively affect the region.

It was mentioned that the township had not accepted the State Fire Code and therefore it would be up to local fire officials as to whether the proposal would comply.

Another delegate mentioned that this project had been proposed in the past and asked why the agency did not indicate its concerns then. It was mentioned that the proposal had not been formally brought forth before the agency and that it was the understanding that the concern around access had been part of the discussions in those developmental meetings.

Potential alternatives were proposed that could alleviate LACRPC's concerns, including:

- Change the request to rezone into a PUD and allow a non-government organization to control the maintenance of storm sewers, roadways, etc.;
- Change the zoning regulations to make a mixed-use zone within the comprehensive plan. This would reflect current best practices in modern zoning;
- Purchase additional property along Fetter Road to increase one or both of the access points;
- Seek another access point to the North of the property, eliminating one of the housing sites and changing the road configuration and frontages.

It was suggested that if the applicant would like to table the petition to revise or resubmit, it would pause the proceedings with no vote being necessary. This would allow the petitioner to explore the options presented. The petitioner, who was present, did not move to table the petition.

At that time a **motion** was made by Mr. Stratton, seconded by Mr. Ewing to Deny the Staff Recommendation and Approve the Petition with no conditions.

Prior to the vote, it was also cautioned that the vote of the committee also carries weight and the motion as stated would give a complete green light to the project without any conditions put into place. As the petition currently reads, the staff of LACRPC could only recommend Denial due to the safety concerns with access as one of the primary factors. It is with serious consideration that the staff issued the Denial, knowing that it is the only means available to the agency to prompt appropriate changes.

Motion 63 (12-03-24) DCC

Mr. Stratton made the motion to **Deny the Staff Recommendation** as submitted and to Approve the Bath Township Zoning Amendment (BA-05-24) without any conditions for cause of the need of housing in Allen County. Seconded by Mr. Ewing. A roll call vote was taken.

Mr. Baxter	Abstain	Mr. Gilden	Yes
Mr. Bishop	Yes	Mr. Lause	No
Mr. Cox	Abstain	Mr. Schierloh	No
Mr. Ewing	Yes	Ms. Seibert	Yes
Mr. Gearing	No	Mr. Stratton	Yes
Mr. Gerdeman	Yes		

Yes	6	No	3	Abstain	2
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The motion carried.

5. OTHER

There was no other business brought forth.

7. ADJOURNMENT

Motion 64 (12-03-24) DCC

Mr. Ewing made the motion to adjourn. Seconded by Mr. Cox; the motion carried.

The meeting adjourned at 3:47 p.m.

The next meeting is scheduled for December 17, 2024 at 3:00 p.m.

Minutes approved on January 14, 2025.



Chuck Schierloh, Chair