

# ***Minutes***

## ***Clark County Planning Commission***

Regular Meeting ~ 2:00 pm.  
Wednesday, February 5, 2020

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Chairperson Scholl of the Clark County Planning Commission called the meeting to order at 2:01 pm. and asked for the Roll Call.

Present For Roll Call: Commissioner McGlothlin, Mr. Mark Scholl, Mrs. Jo Anderson, Mr. Ken Knight, Mr. Jay Kitchen, Mr. Dave Stickney, Mr. Don Wallace and Commissioner Wilt.

Absent For Roll Call: Ms. Louise Maurer, Mrs. Charlene Roberge and Commissioner Lohnes.

Also in Attendance: Mr. Allan Neimayer, Mrs. Jennifer Tuttle and Ms. Rachel Clime from Clark County Community and Economic Development.

### **Approval of the January 8, 2020 Minutes**

Motion by Mrs. Anderson, seconded by Mr. Kitchen, to **Defer** approving the minutes until the next meeting.

**VOTE: Yes:** Mrs. Anderson, Mr. Kitchen, Commissioner McGlothlin, Mr. Knight, Mr. Scholl, Mr. Stickney and Commissioner Wilt.

**No:** None.

***Motion carried.***

Chairperson Scholl recused himself from the next case and Mrs. Anderson served as Acting Chairperson.

### **Lot Split Variance #LV-2020-01 ~ Property Owner/ Applicant: Willoughby Place LLC (Mike Hufford) ~ Agent: Mark Scholl ~ Location: 5640 Lower Valley Pike; Bethel Twp. ~ Request: Paragraph 4.146 Shape Lot, to create a new single-family home**

Mr. Allan Neimayer, Senior Planner, stated the subject property is located at 5640 Lower Valley Pike in Bethel Township and zoned A-1 (Agricultural District). The property consists of 7.55 acres. The Applicant is requesting a Lot Split Variance to Chapter 4.1 Conformity, Section 4.14 Lots, Paragraph 4.146 Shape, which states, "All lots, when possible, shall be approximately rectangular in shape. Triangular shaped lots shall be discouraged." In August 2011, the County Planning Commission adopted a policy that all proposed lot splits that do not follow Paragraph 4.146 are to be reviewed and approved by the Board, unless the proposed lot split is to preserve farm land. In 2017 the Applicant split off a 2-lot cluster lot split of 4.996 acres. In May 2017, the Applicant received a variance approval to increase the size of one of those lots to 7.39 acres thus reducing the size of the other lot to 2.6 acres. Now, the Applicant would like to create a new clustered lot of approximately 2.567 acres, with residue acreage of 4.982 acres.

The Applicant is aware that a zoning variance to create this new clustered lot is also required. If the variance is approved, the Applicant will proceed with the lot split process starting with the Health Department to determine if the proposed new clustered lot will support its own on-site utilities. The existing shared-access drive description would be amended to incorporate the new clustered lot.

Mark Scholl, 1533 Moorefield Rd., surveyor representing the Applicant, stated that this was a cluster lot, and there are two existing houses there now. One dates back to the late 1800s. Mike Hufford, Applicant, still owns that and he also has sold the other parcel. Originally that was going to be his daughters house. It was later learned that Tecumseh Schools does not offer the special education needs that are required, so he sold it. The Applicant's son and wife were going to live in the older house. There was an accident with his son's brother in-

law on the property, and so they chose not to move in. The third house was not in great shape so the Applicant tore it down. Through Ohio funding the park has this for future park purposes. The Park District eventually wants to use this driveway off of Lower Valley Pike and put a new access driveway in. The Applicant would like to retain the red parcel which is a vacant piece of ground so he has a place to come on the weekends and park his motor home or car and have a camp fire. That is the reason he wants to separate it off. If he sold the current 7-acre parcel with the old house, he does not know if that would turn out like he hopes it would.

Commissioner Wilt asked the red parcel he would use in the future and that becomes the full use of Clark County Park District? Mr. Scholl responded yes, he would retain ownership in that and some day he may want to deed that to the park district. Commissioner Wilt added, so the part that has already been given to the park district is not on here? Mr. Scholl responded yes, this is all privately owned.

Mike Hufford, Applicant, 2112 Amarillo Dr., stated we were in last year and asked for the lot split for the attachment because we were in the process of restoring this home for my son. A few month ago we had an accident out there with an ATV so now my son and his wife do not want to live there. We originally attached land to it so we could keep as much as we could. Now were in a position where we have to sell the house, so now it is a reverse. Now we want to keep some of the land back and not have to sell all of it. Also in reviewing that we noticed the park has a 20 ft. access and they need a minimum of 30 ft. to build a good access road to get in for future use. Thank you for your considerations.

Commissioner McGlothin asked Mr. Neimayer he said he needs 30 ft. is it not 60 ft. anymore? Mr. Neimayer responded this is all private so it does not fall under the 60 ft. Commissioner McGlothin asked how do you feel about this? Mr. Neimayer responded he has no problem with this.

With No further questions for Staff, Acting Chairperson Anderson asked for a motion.

Motion by Mr. Stickney, seconded by Commissioner Wilt, to **Approve** the case as presented.

**VOTE: Yes:** Mr. Stickney, Commissioner Wilt, Commissioner McGlothin, Mr. Knight, Mrs. Anderson, Mr. Wallace, and Mr. Kitchen.

**No:** None.

***Motion carried.***

Chairperson Scholl rejoined the Board.

### **Staff Comments**

Mr. Neimayer stated the next scheduled meetings are March 4 and April 1, 2020.

Mr. Neimayer also stated that at this time we have no applications for the Board. I would also like to state that Item #3, the rezoning case regarding Adam Agle, just as we sent out our notifications to the paper and the surrounding property owners, Mr. Agle informed us that he withdrew his application because the pending sale had fallen through.

Mr. Neimayer also stated that Mrs. Roberge wanted to have a discussion on recent cases where Applicants were coming in after the fact and then trying to get zoning approval. We can defer that discussion to the next meeting or we can have it now. Commissioner Wilt stated, I would not mind having a quick discussion.

Commissioner Wilt stated we talked about educating people. When I was at the state Agricultural Department, we would have things that did not seem like a big deal to people but it was breaking the law. I was amazed by just doing an annual news release or working with the paper by getting some of that information out could help let people know that this is not the right process, but here is the right process. The realtors could also get that information out and make sure their clients know. We have shared rules and regulations but as far as helping people understand I think that could be a value to people. Offering something that could be helpful, and maybe

we can come back with a draft that we could discuss and then that's how we could present the educational information.

Mr. Scholl added and get the Clark County Home Builders Association involved. It sounds like they are not passing that along to their members.

Commissioner Wilt added another one that is a similar thing is the mother-in-law suits and the campers. That might be a separate educational thing we could be doing. But things that might save us work down the road.

Mr. Neimayer added, let us see if we can make some drafts to bring back to the Board. Staff is still working with the Rural Zoning Commission on the proposed zoning text amendments. We setup a work session in March to wrap it up. Following that we are looking at May or June time period to get it to the commissioners.

Commissioner Wilt stated she would like to follow up with the visit we had from Mr. Sebastian. There is nothing this Board can do but we are going to send a letter to the Harmony Township Trustees including some insight on what they are able to do with code enforcements, cases like this and future cases, so we can give them some teeth to work them. Encourage them to look at that a little closer.

Mrs. Tuttle stated that the trustees did reach out to me. I told them to get ahold of legal counsel. They have the information and pictures, and I believe they are going to pursue the nuisance.

Commissioner Wilt added and it may actually help them to have our support in a letter, that you are well in your rights to do this. Mrs. Tuttle agreed.

### **Adjournment**

Motion by Commissioner McGlothin, seconded by Mr. Stickney, to **Adjourn**.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 2:23 pm.

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Mr. Mark Scholl, Chairperson