

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 9:00 am.
Thursday, March 10, 2022

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Ken Brust, Chairperson of the Clark County Rural Zoning Commission, called the meeting to order at 9:03 pm. and asked for the Roll Call.

Present For Roll Call: Mr. Ken Brust, Mr. Bob Jurick, Mr. Pete Lane, Mr. Wayne Leis,
Mr. Larry Spahr and Mr. Matt Taylor.

Absent For Roll Call: None.

Also in Attendance: Mr. Allan Neimayer and Mrs. Rachel Clime-Ricketts of Clark County
Community & Economic Development.

Approval of the February 10, 2022 Minutes

Motion by Mr. Spahr, seconded by Mr. Lane, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Spahr, Mr. Lane, Mr. Brust and Mr. Taylor.

No: None.

Abstain: Mr. Leis and Mr. Jurick.

Motion Carried.

Chairperson Brust explained how the meeting will be conducted. Chairperson Brust then asked Staff to present the first case.

Rezoning Case #Z-2022-02 ~ Property Owner: All Inclusive Warehouse Office LLC ~ Applicant: Richard Deering ~ Location: west of 6001 Lower Valley Pike, Bethel Twp. ~ Request: to rezone 2 acres from B-3 to B-4 for rental storage warehouse.

Mr. Allan Neimayer, Senior Planner, stated that the subject property, Parcel #010-06-00032-000-076, is located west of 6001 Lower Valley Pike in Bethel Twp. and consists of 2.0 acres. The property is currently zoned B-3 (General Business District). The Applicant would like to rezone the property to B-4 (Heavy Business District) to allow for a rental storage warehouse. Mr. Neimayer reviewed the updated site plan from the Applicant. This property is in the floodplain so, if this rezoning is approved, the Applicant will need to go through the flood plain development review process. In addition, the Applicant will need to work with the Health District for on-site utilities. Staff recommends rezoning the subject property from B-3 to B-4S (General Business District Specific Use) be approved limiting the use to a self-storage facility. The Applicant is aware that the county's stormwater management regulations must be followed.

The County Planning Commission met on March 2, 2022 to hear this case. Following discussion, the CPC passed a motion recommending to the Rural Zoning Commission that the subject property be rezoned from B-3 to B-4S (Heavy Business District, Specific Use) limiting the use to a self-storage facility as presented.

Mr. Jurick asked if All Inclusive includes equipment. Mr. Neimayer responded yes there could be but will let the Applicant explain further. Mr. Jurick asked about the floodplain. He explained we do not allow residential or business in a floodplain. Mr. Jurick asked about compensating the loss of that area for floodplain retention. Mr. Neimayer responded there was early discussion on storm water and

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drainage that perhaps with the lake next door that run off could be tied to that, but that would need to be worked out between the property owners. That is only one scenario. Mr. Neimayer then explained the flood plain development review process. Mr. Jurick explained, the Miami Conservancy District has concerns over the easement over land, have they been part of the dialog. Mr. Neimayer responded he is not aware of the overlay for the subject area. He knows of the far southwest part of the county. With Lower Valley Pike being a state scenic byway, he asked whether conditions on design standards and landscaping could be included. Mr. Neimayer responded he will defer to the Applicant as to his development plans. The Applicant did state at the County Planning Commission meeting that everything would be within the building – no outside storage.

With no further questions for Staff, Chairperson Brust opened the public hearing at 9:13 am. and asked if the Applicant would like to speak.

Richard Deering, Applicant, 1325 S. Hampton Rd., was sworn in. Mr. Deering explained this a new concept for this area. It is an all-inclusive warehouse for a small business. He is very aware of the flood plain and the amount of gravel it is going to take to build this up. Everything is included for one price which comes with heat and air, a conference room and a forklift to share. The property will be gated with high security. Mr. Neimayer passed out the list of amenities to the Board. Mr. Deering added you get everything for one number. It is perfect for a startup. It will be very attractive. We do not allow anything outside. If your car is out front you should be inside or else you need to park out back.

Mr. Spahr asked for the dimensions of the building. The Applicant explained if it can go down the highway it will fit. They are 14 foot doors.

Mr. Jurick states you will need plumbing for the kitchenette. The Applicant responded there is only one shared restroom.

Mr. Jurick asked about septic and the leach field. Mr. Neimayer responded during Technical Review Committee meeting Zibby Dewitt with the Health District indicated that because the property is in the flood plain it will not be your standard leach and septic. The Applicant will need to find approval for an alternative system.

With no further questions for the Applicant, Chairperson Brust asked if anyone wanted to speak in favor of the case. There were none. He then asked if anyone wanted to speak in opposition to the case. Hearing none, Chairperson Brust closed the public hearing at 9:29 am. and asked for a motion.

Action on Rezoning Case #Z-2022-02 ~ Property Owner: All Inclusive Warehouse Office LLC ~ Applicant: Richard Deering ~ Location: west of 6001 Lower Valley Pike, Bethel Twp. ~ Request: to rezone 2 acres from B-3 to B-4 for rental storage warehouse.

Motion by Mr. Leis, seconded by Mr. Spahr, to recommend **Approval** of the rezoning case as presented.

VOTE: Yes: Mr. Leis, Mr. Spahr, Mr. Jurick and Mr. Lane.

No: None.

Motion Carried.

Chairperson Brust asked Staff to present the next case

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Rezoning Case #Z-2022-03 ~ Property Owner/Applicant: Denna Johnson ~ Agent: Jim Lagos ~ Location: 8518 E National Rd. ~ Request: rezone 3.13 acres from B-3 & R-1 to PD-M.

Mr. Neimayer stated that the subject property is located at 8518 & 8542 E. National Rd. in Harmony Township, Parcels #130-08-00017-100-002 & -003, and consists of 3.13 acres combined. The property is currently zoned B-3 (General Business District) and R-1 (Single-Family Residence District). The Applicant would like to rezone the property to PD-M (Planned Development – Mixed Use District) for use as residential and retail – see narrative. Mr. Neimayer reviewed slides of existing zoning and land use of the area. He reviewed the county’s Thoroughfare Plan for the area. The property is not in a floodplain and public utilities are not available. Staff recommends the Applicant’s request to rezone the subject property from B-3 & R-1 to PD-M (Planned Development-Mixed Use) be approved as presented subject to the following:

1. Preliminary Plan Approval only with the uses as identified in the application’s narrative.
2. Subject to comments from the County Engineer’s Office and ODOT with regards to access and stormwater management.
3. Final Plan approval shall be with the Zoning Inspector after receiving sign-off from the County Engineer’s Office regarding access and storm water management. At the Zoning Inspector’s discretion, approval of the Final Plan shall go before the County Planning Commission

The County Planning Commission met on March 2, 2022 to hear this case. Following discussion, the CPC passed a motion recommending to the Rural Zoning Commission that the Applicant’s request to rezone the subject property from B-3 & R-1 to PD-M be approved as presented.

Chairperson Brust stated this is basically a zoning change of convenience because of the problems with selling the house.

Mr. Jurick asked, as part of the PD District part of the process is identifying the uses. Mr. Neimayer explained it is in the back part of the narrative.

Hearing no further questions for Staff, Chairperson Brust opened the public hearing of the hearing at 9:29 am and asked if the Applicant would like to speak.

Samuel Petroff, 5057 Troy Rd., representing the Owner/Applicant Denna Johnson, was sworn in. Mr. Petroff explained the Applicant’s narrative. He also explained that the PD-M is what they have been operating under since 1963. Unfortunately when we were trying to market the property and had a potential sale to a computer operation, their bank could not lend them the money due to the discrepancy of the building burning down and being rebuilt. We feel this retail space and business is an appropriate request.

Mr. Spahr asked on the retail side, do you see a large line of traffic. Mr. Petroff responded no more than what she had for the lamp shop.

Mr. Jurick asked, with retail this would be limited to computer retail? Mr. Petroff responded it is limited to what is in the zoning code. We do not have a contract that is complete in terms of the zoning issue.

Mr. Neimayer added it would help to clarify what zoning districts (uses) would be permitted under the PD-M. Mr. Neimayer displayed the different uses under the B Districts. Chairperson Brust explained, it looks like everything they are asking for would fall under B-1. Mr. Petroff responded it is hard to tell because we do not have a buyer. It seems to be B-1 or B-2 would be the uses we would use. Mr.

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Spahr asked if the property is currently zoned B-1. Mr. Neimayer responded it is currently zoned B-3 and R-1. Mr. Jurick asked, the motion would in essence need to identify the uses in B-1, B-2 and B-3. Mr. Jurick asked are there any uses that would be an issue with neighbors. I think it is important to take a look. That is why the PD Districts were established.

Chairperson Brust asked if anyone wanted to speak in favor of the request. Hearing none he then asked if anyone wished to speak in opposition to the request. Hearing none, Chairperson Brust closed the public hearing at 9:44 am. and asked for a motion.

Action on Rezoning Case #Z-2022-03 ~ Property Owner/Applicant: Denna Johnson ~ Agent: Jim Lagos ~ Location: 8518 E National Rd. ~ Request: rezone 3.13 acres from B-3 & R-1 to PD-M.

Motion by Mr. Spahr, seconded by Mr. Lane, to recommend **Approval** of the request as presented inclusive of uses in the B-3 District and R-1 District.

VOTE: Yes: Mr. Spahr, Mr. Lane, Mr. Leis and Mr. Jurick.

No: None.

Motion Carried

Chairperson Brust called for a Recess at 9:48 am.
Chairperson Brust resumed the meeting at 9:53 am.

Election of Officers for 2022

Motion by Mr. Spahr, seconded by Mr. Lane, to **Elect** Ken Brust as Chairperson.

VOTE: Motion carried unanimously.

Motion by Mr. Spahr, seconded by Mr. Leis, to **Elect** Pete Lane as Vice-Chairperson.

VOTE: Motion carried unanimously.

Staff Comments

Next scheduled meetings: April 14 and May 12, 2022.

Planning & Board Training.

Mr. Neimayer gave a PowerPoint presentation reviewing the 10 Chapters of the county zoning code.

Adjournment

Motion by Mr. Leis, seconded by Mr. Spahr, to **Adjourn.**

VOTE: Motion carried unanimously.

The meeting was adjourned at 10:31 pm.

Mr. Ken Brust, Chairperson