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Zoning & Subdivision Committee  
Thursday, April 9, 2009, 12:30 PM

The Zoning and Subdivision Committee met in regular session on Thursday, April 9, 2009, at 12:40 pm at the LUC Office in East Liberty. Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Scott Coleman, Greg DeLong, Wes Dodds, Charles Hall, Paul Hammersmith, Kyle Hanigosky, Jenny Snapp, Jeff Stauch, and Don Walters. Absent member was Fereidoun Shokouhi. Guests included: Joanna Pinkerton, Union County Engineer's Office; Ed Miller, EMH&T; Dan Block, Autumn Ridge Developer.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Minutes of the March 10, 2009 meeting was approved as follows: Paul Hammersmith made the first motion to approve the minutes and Greg DeLong made the second motion to approve the minutes. All in favor.

1. Review of Autumn Ridge Section II Final Plat presented by Kyle Hanigosky
  - o Joanna – On Article II, Section II, you are the designated authority until 100% lots are sold?
  - o Dan – yes
  - o Joanna – On the right to use common areas?
  - o Dan – The homeowner will mow that area and there are no structures allowed to be built.
  - o Joanna – the only concern is right now it's a common area and it's an open space and it's very easy for someone to enter to maintain it; but if someone owns it, there may be a problem with the government entering their yard even for maintenance. Is there any concerns that we should have of Dan's ability to transfer the property to a landowner?
  - o Dan – you wanted it to be under the association's name, so that's how we set it up
  - o Joanna – EPA requires it to be but you have the legal authority after the deed is filed to transfer it
  - o Paul – The county is going to maintain the basin?
  - o Dan – The retention basin is on the perimeter so you won't have to go in someone's back yard
  - o Scott – I don't know how legally binding the note would be but there is a note in the association about this
  - o Joanna – I just wanted to have the discussion about it.
  - o Scott – Our issue has come up in different details when property is dedicated to other lot owners in the area
  - o Dan – However you want me to convey it in the future, we can type up the verbiage that you want, that will protect you.



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Director: Jenny R. Snapp

- Joanna – They are bound by the details in the plat.
- Greg – Are you okay with the last line about current zoning (f)?
- Joanna – That's a good point, but we have restrictive language that forbids anything.
- Paul – Who serves this fire service; any standards about length of street?
- Joanna – That does not exist in Union County
- Joanna – Item #5, conveyance & restrictions; approval should be contingent on the deed being recorded first and then the plat should be approved.
- Charles Hall made the first motion to approve the Autumn Ridge plat with the restriction that the deed will be filed before the plat is filed. Jeff Stauch made the second motion to approve the Autumn Ridge Final Plat with the restriction that the deed will be filed before the plat is filed.
- Don – will these deed restrictions be printed on the deed's that correspond to these lots?
- Joanna – when you purchase a lot, the plat will say the deed is recorded
- Don – who polices it?
- Dan – the association
- Scott – any landowner could file a suit saying they are not following the deed restrictions
- Charles – if the county is in there twice a year mowing, they will know if something changes
- Joanna – this is not a county burden
- All in favor.

The Zoning and Subdivision Committee adjourned at 12:57 pm with Paul Hammersmith making the first motion to adjourn and Charles Hall making the second motion to adjourn.

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