



Zoning & Subdivision Committee

Tuesday, May 11, 2010 1:30 pm

The Zoning and Subdivision Committee met in regular session on Tuesday, May 11, 2010, at 1:33 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, Heather Martin, Fereidoun Shokouhi, Jenny Snapp, Jeff Stauch, and Don Walters. Guest attending the meeting was Gary Bias, Washington Township; Ron Becker of RE Becker Homes, Washington Township Applicant; Mike Bow, M&K Engineering.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Minutes of the April 6, 2010, meeting was approved as follows: Charles Hall made the first motion to approve the minutes as written and Andy Yoder made the second motion to approve the minutes as written. All in favor.

1. Review of Washington Township (Logan County) various Zoning Text Amendments, including the addition of language regarding Small Wind Projects Under 5MW – Staff Report by Wes Dodds
 - Gary – On the size of ditch lines, can we go down to 8 inch?
 - Scott – Yes, that would be fine, that would be reasonable
 - Jeff – We've used 10 inch over the years
 - Scott – We have allowed down to 8 inch in some locations if there wasn't much of a drainage issue. Whenever you need help with sizing, we can try to help you size according to the storm flow.
 - Fereidoun – Offered to send a letter of acknowledgement to Gary for the Townships use regarding this.
 - Greg – The definition issue is important. Why did the minimum floor area in the manufacturing go from 0 feet to 200?
 - Gary – it's hard for a business to have 0 feet for manufacturing
 - Wes – for parking space they require 1 space for every 200 feet
 - Greg – in the M-1 it says the minimum setback is 30 feet for accessory and the primary is 50 feet, may have been one that was missed.
 - Brad – In the fences section, corner barriers are prohibited? How do you decide when it's in the corner?
 - Gary – we look at it a number of ways because of different heights
 - Wes – it was originally in the document so it wasn't something we changed.
 - Charles – you're contradicting one or the other for barriers, etc on fencing.
 - Jenny – do we define the frontage as the lakeside property?
 - Gary – the waterside is the front



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- Wes – the intention of the township is to allow the fencing as long as it doesn't contradict the roadway
 - Charles – why only chain link?
 - Gary – because it's a corner lot, so it's the visibility. We were primarily addressing the height issue
 - Fereidoun Shokouhi made the first motion to approve the Washington Township Zoning Text Amendments with the staff comments, as well as the comments of the Committee. Charles Hall made the second motion approve the Washington Township Zoning Text Amendments with the staff comments, as well as the comments of the Committee. All in favor.
- 2. Review of Washington Township (Logan County) Zoning Map update – Staff Report by Wes Dodds
 - Scott – this is basically what they had in place?
 - Wes – yes, they wanted to make sure it was officially adopted.
 - Greg made the first motion to approve the Washington Township Zoning Map as submitted and Jeff Stauch made the second motion to approve the Washington Township Zoning Map as submitted. All in favor.
- 3. Review of Washington Township (Logan County) Parcel Amendment request to re-zone 20.05 acres from U-1 Rural District to B-1 Service Business District for the purpose of transient lodging – Staff Report by Wes Dodds
 - Scott – What is transient housing? Is there going to be a large residential unit?
 - Ron – our first idea is a hotel
 - Scott – you're not talking about homeless people?
 - Mike – No. In reference to the flood plain, Mike showed that a small section of the area is not in the flood plain. Over the years, they've done some plans to improve the mobile home park, that hasn't been too successful. This property doesn't flood, but when they built 33 they put in a culvert that allows all the flooding from that area to back up onto that area.
 - Scott – we have established a flood elevation there, we can transfer that for you, did you talk to Curt yet?
 - Mike – no
 - Scott – we can convert that same information for them
 - Mike – we are sensitive to the fact that this property provides a certain amount of water flood water storage. We can't reduce that. All the planning we've done for this parcel is that we would create a lake or lower water feature, and use dirt to build up the area above. We've done the studies on that and we're prepared to present that information to get the permit. The key to the whole site is building

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up the area to the elevation of the highway, there's a beautiful sight of the lake.

- Scott – Every time we allow something to be built, it worsens the flooding in Russells Point. We need to make sure that Russells Point is okay with it.
- Don – if they can do what they say they can do, then Russells Point doesn't have a problem. We want proof. Will this be a drainable lake?
 - Mike – Yes, we can lower our pond level
- Don – will there be a spillway
 - Mike – no spillway, we'd like to plug the 48 inch pipe
- Fereidoun – who is the flood administrator for that area?
 - Scott – Mike Reffitt under the Building Regulations Department.
- Fereidoun – are you comfortable recommending approval, if the zoning amendment be approved by the township, if it includes approval by the flood administrator.
- Greg – the only problem is that they can still build on the property, so why would we require them to do something special?
- Jenny – zoning is health, safety and welfare and flooding falls into that
- Scott – if we recommend denial, can you proceed to make sure you can get out of the flood zone?
- Don – you're going to have to do a map amendment before you can get funding from any bank. FEMA required flood height is 99.966 for the Village of Russells Point.
 - Scott – ours is significantly lower than that, we can send it to the village again
- Scott – I know Jefferson Township provided a conditional use permit for the one property owner. Could they do that?
- Don – if you do this, Scott you'll have to be vigilant about the future use
- Scott – the other option we could follow through with the recommendation of denial and have you try for a rezoning after you've gotten the LOMA (Letter of Map Amendment) for the development area.
- Mike – you have a whole mirage of regulations you have to get through to do anything, some are discretionary. If you have a discretionary thing like zoning, then you probably don't want to do \$20,000 of work if you don't know that the zoning is going to go through. We want the zoning so that if we meet all the regulations and requirements, we can proceed. My understanding is that we

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can develop into the floodplain if we don't disturb the level of water in the floodplain.

- Fereidoun – The zoning should take into consideration the floodplain. When you look at the zoning map, you need to consider the floodplain as well as the other things.
- Jeff – I have a question about the LOMA. I've understood that the bank won't do it and the flood insurance will become a factor. You're going to have to have that LOMA to finance the project.
- Fereidoun – it's an obligation of the County not to lose its subsidies to administer the flood plains of the job, the other part is the investor would it be profitable for him because of the high insurance for the property.
- Scott – what is the zoning request?
 - Wes – it's B-1, and Wes explained zoning on the other properties.
 - Scott – by definition in their regulations B-1 would be allowed adjacent to the M-1?
 - Wes – it doesn't specify
- Scott – I think LUC is doing the right thing because I know Soil & Water Conservation is against any development in a flood plain. I think LUC is doing a good job to balance what everyone wants. I think it's good for the county, I'm supportive; I think the LOMA needs taken care of.
- Brad – I'd like to see the Flood Map and that you can get the LOMA.
- Scott – I think the community would be supportive of the zoning.
- Jenny – The Indian Lake Watershed Group may have some concerns
- Andy – aren't there other regulations to be looked at? We're just here to make a decision on whether or not it should be zoned
- Greg made the first motion to approve the Washington Township Parcel Amendment request to re-zone 20.05 acres from U-1 Rural District to B-1 Service Business District with the following conditions: The Flood Administrator is to be notified and with the LOMA being completed and approved. Fereidoun Shokouhi made the second motion to approve the Washington Township Parcel Amendment request to re-zone 20.05 acres from U-1 Rural District to B-1 Service Business District with the following conditions: The Flood Administrator is to be notified and with the LOMA being completed and approved. All in favor.
- Charles – I just want to say, Wes did the best with what he had and there is an issue with the flood plains.

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4. Review of Darby Township (Union County) Zoning Text Amendments regarding “Ponds”– Staff Report by Jenny Snapp
 - Recommendation to change the language the Property owner must make all efforts to identify all tiles.
 - Scott – can they route it through the pond?
 - Fereidoun – if they can’t then you don’t approve the pond
 - Greg – what constitutes the completion of the pond? When it’s full?
 - Jenny – the Soil & Water works with them and gives them the standards to follow
 - Jeff – the expiration, this is fairly strict, does it provide for an extension?
 - Jenny – they could always go into a variance. We can recommend that an extension be provided and approved by the zoning inspector.
 - Paul Hammersmith made the first recommendation to approve Darby Township Zoning Text Amendments regarding “Ponds with the additional comments of the staff report, as well as, the subcommittee. Brad Bodenmiller made the second recommendation to approve Darby Township Zoning Text Amendments regarding “Ponds with the additional comments of the staff report, as well as, the subcommittee. All in favor.

5. Review of Wayne Township (Champaign County), various Zoning Text Amendments, including the addition of language regarding Small Wind Projects Under 5MW – Staff Report by Wes Dodds
 - Charles Hall made the first motion to accept staff recommendation of approval of the Wayne Township various Zoning Text Amendments and Andy Yoder made the second motion to accept staff recommendations of approval of the Wayne Township various Zoning Text Amendments. All in favor.

The Zoning and Subdivision Committee adjourned at 3:03 pm with Andy Yoder making the first motion to adjourn and Paul Hammersmith making the second motion to adjourn.

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