



Richland County Regional Planning Commission
Zoning, Subdivision and Land Use Review Committee (ZSL)

MINUTES

March 09, 2021

Video conference

<https://zoom.us/j/98495615580?pwd=ZnkwblZDK0Q5Si96VmVTRlFDOTMwZz09>

Attendance

Members Name			
Elaine Kiefer	Present	Guests	
Joe Harrod	Present	Jason Murray	
Kara Russel	Present		
Matt Wallace	Present	Staff	
Joe Gies	Present	Jotika Shetty	Present
Larry Weirich	Present		
Debra M Jones	Present		
Kevin Payne	Present		
Marc Milliron	Present		
Sarah Howard			
Bob McCauley			
Andy Smallstey			

Secretary Jotika Shetty called the meeting to order at 9.00 AM. In the absence of Chair, she acted as pro-temp chair to start the meeting and confirmed attendance and quorum. There were no changes to the agenda.

Organizational Meeting

Joe Gies nominated Marc Milliron for chair and Larry Weirich seconded. All were in favor and the motion passed to elect Marc Milliron to chair.

Debra Jones nominated Joe Gies for vice chair, Kara Russel seconded. All were in favor and the motion passed to elect Joe Gies to vice chair.

Joe Gies made a motion to approve the minutes of the October 13, 2020 meeting, distributed via email, Kevin Payne seconded and the motion passed by unanimous voice vote.

Subdivision Variance Request

RCRPC staff presented the application. The applicants, owners of 309 Vanderbilt Road, Lexington Ohio would like to create a separate parcel of the land containing a telecommunication tower on their property and retain the parcel with tower and sell the remaining acreage and home. The parcel 0533703313001 to be split is located at the corner of Vanderbilt Road and limited access SR 13. It contains a house, a barn a telecommunication tower and an easement to access the tower from Vanderbilt Road. All frontage is on Vanderbilt Road. The owners have a lease agreement upto 2045 with the utility company and the value of the lease agreement would push the valuation of the home too high for potential buyers. By retaining the land with the tower the owners are able to retain the lease and have a more realistic chance of selling the remaining property.

Required variance:

Section 400.2 (D) Access to Streets - The subdivision regulations require each lot to have frontage and access on a public or private street

The 0.163 acres with the tower will have no frontage and will require an easement from neighboring property.

The Planning Commission to grant a variance from the strict applicability of the subdivision regulations needs to find a practical difficulty or unnecessary hardship that would deprive the owner of reasonable use of the land..., provided , however, that a mere financial hardship shall not be sufficient to establish a hardship for granting a variance.

Due to the adequate road frontage available and the inability of the commission to establish a practical difficulty or undue hardship beyond financial consideration the staff recommendation was to deny the variance. The applicant would be required to create a lot split that met subdivision regulations.

Elaine Keiffer made a motion to accept the staff recommendation to deny the variance. Matt Wallace seconded.

Joe Harrod reminded that any lot split would require health department review. This was necessary as the split created a parcel with an existing home. They may or may not require soil testing on both lots and this can be determined during review. Kara Russell questioned the fact that any lot split created to meet subdivision regulations and retain the parcel with tower may not be able to meet zoning regulations as the barn would be an accessory building without a primary use. The applicant would need to get variances from Township zoning as a lot split will need zoning approval.

Marc Milliron called for a vote on the motion on the floor. All voted in the affirmative and there being no objections the motion carried

There being no other business to discuss, the meeting was adjourned at 9.25 am by a call by Kara Russel, seconded by Debra Jones and duly passed.

Submitted by:
Jotika Shetty