

Minutes for the CLINTON COUNTY REGIONAL PLANNING COMMISSION OR THE EXECUTIVE COMMITTEE

October 15, 2024

Training Room, Clinton County Administration Building, 1850 Davids Dr., Wilmington, OH 45177

ROLL CALL

Chairperson Ruth Brindle called the meeting to order at approximately 7:00 p.m. local time with the following Planning Commissioners present.

Jon Branstrator	Eric Hayslett	Noni Wood	
Ruth Brindle	Dan Thompson	Rick Walker	
John Carman	Michelle Morrison	Ryan Bowman	
John Cohmer	James Myers	Damian Snyder @ 7:13 pm	
Benjamin Collings	Mike McCarty		

The Commission attained a quorum. Mary Moyer, Anya Tipton, and Drew DeMarsh were also present.

A motion was made to approve the agenda by Jon Branstrator, seconded by John Cohmer, and a voice vote: all yeas.

MINUTES FROM THE PREVIOUS MEETING

Minutes of the October 10, 2024 Special Meeting (Executive Committee) were presented and approved by motion from Jon Branstrator seconded by Damian Snyder and voice vote: all yeas.

OLD BUSINESS

NEW BUSINESS

Applicant #2024-20 – Meadowbrooke Phase 2 Final Plat

Drew DeMarsh presented the staff report which discussed the applicable regulations associated with the application Regulations. The applicant was proposing a Final Plat for approval of 16 new lots totaling 37.7348 acres with 2.4895 acres within the public right-of-way for a combined 40.2243 acres. The lots and roadway meet the requirements, but there are several notes for the final plat prior to it being signed by each of the offices. The Clinton County Engineer's Office issued comments that stated:

- The County Engineer's Office and the Map Office are still working through technical issues on the plat. There are several easement labels that need to be updated, portions of the language that need updated, and the spelling of "Hunter's Glen Drive" needs to be updated. Each of these issues can be finalized prior to the final recording and should not affect the substance of the plat.
- The final plat will need to include notations that lot 21 and 28 will not be permitted access to Ogden Rd. This frontage does not meet the safety requirements outlined in the Access Management Regulations for Clinton County, Ohio.
- The Development will need to be enrolled in the County Ditch Maintenance program as administered by the Clinton County Soil & Water Conservation District prior to the final recording of the plat. The Soil and Water Conservation District may offer additional comments on the proposed drainage easements.
- As required in section 900 of the Clinton County Subdivision Regulations, the Developer has presented an updated Draft of a bond to guarantee the construction of the remainder of the improvements and the maintenance

of these improvements. Currently, the bond is being reviewed by the Clinton County Prosecutor's Office and will need to be approved and in place prior to the final recording of the plat.

The Clinton County Health District also issued comments that stated some of the lots will be limited to three-bedroom dwellings. During the process that each individual lot is developed, the lot size, topography, and soil evaluation report will be assessed to determine the sewage treatment system capacity/design for the specific lot being built.

A motion to approve the proposed Final Plat contingent on satisfying the requirements of the Clinton County Engineer's Office and the Clinton County Building and Zoning Department was made by Michelle Morrison and seconded by John Carman and followed by a roll call vote: 14 yea, 0 nay, 0 abstention.

Applicant #2024-21 – Access Management Variance – Trenton Thompson

Drew DeMarsh presented the staff report, which stated that the applicant was requesting to subdivide a 31.83-acre parcel in Richland Township. The applicant was proposing to split an approximately 2.740-acre lot from the 31.83 acre host parcel to separate the house from the remaining property. However, the existing lot does not meet the driveway separation requirements of the Clinton County Access Management Regulations.

In order to move forward with a Minor Subdivision, the owner must pursue a variance to Section 700.13.I (Access Management) of the Clinton County Subdivision Regulations. The creation of a new parcel at this location would result in an average driveway spacing of approximately three-hundred-forty-five feet (345') rather than the seven-hundred-fifty feet (750') required by the Regulations. As of 2024, the Ohio Department of Transportation Traffic Count shows 7,119 average daily trips at this location, with 3,490 east-bound trips and 3,629 west-bound trips. The amount of average daily trips, combined with the high speed of the road, puts this location at a high risk for high-speed collisions that could result in fatalities.

In following the Unnecessary Hardship Test related to ORC 5552.07, the following four criteria must be met:

1. The variance will not be contrary to the public interest;
2. Where, owing to special conditions, literal enforcement of the resolution will result in unnecessary hardship; and so
3. That the spirit of the zoning resolution shall be observed if the variance is granted; and
4. Substantial justice shall be done by granting the variance

Staff has concerns with ORC 5552.07(1), as the potential public safety risk could be contrary to public interest. Staff has recommended to the agent that there are alternative routes that could be followed in order to split the property, such as:

- Applying a deed restriction to the remainder, declaring the remaining farm land unbuildable
- Constructing a new subdivision street and dividing multiple lots
- An unlikely scenario where Sabina annexes past the property, which would mean the property would be regulated by the Village's subdivision and access management regulations

It is worth mentioning that the reason the County's access management regulations are in effect along a state route is due to the proposed Subdivision of the property. The Ohio Department of Transportation's State Highway Access Management Manual Section 4.2- Driveway Spacing recommends the distance for a driveway along a road with a posted speed of 55 miles per hour is 495 feet unless a documented reason for a variance is agreed upon by ODOT.

A motion to deny the access management variance was made by John Carman and was seconded by John Cohmer and followed by a roll call vote: 13 yea, 1 nay, 0 abstention.

A motion to approve the minor subdivision contingent on language identifying the host parcel as limited to agricultural use only was made by Mike McCarty, seconded by Rick Walker, and followed by a roll call vote: 14 yea, 0 nay, 0 abstention.

FINANCIAL REPORT AND BILLS

Drew DeMarsh presented the Year-to-Date financial reports, which were passed around to the commissioners.

A motion to approve the financial reports and bill was made by James Myers, seconded by Noni Wood, and followed by a roll call vote: 14 yea, 0 nay, 0 abstention.

RPC STAFF UPDATE

Anya Tipton was introduced as the new Planner. Drew DeMarsh said the next meeting would have a discussion on budget and 2025 projects.

OTHER BUSINESS

With no further business to conduct, the Commission adjourned by motion from John Cohmer at approx. 7:43 PM seconded by John Carman, and voice vote: all yeas.

Respectfully submitted and approved this _____ day of _____ 2024.

Ruth Brindle, Chair

Drew DeMarsh, Executive Director