

Record of Proceedings

Bowling Green Township Zoning Commission Hearing April 17, 2008

The Zoning Commission opened the public hearing at 7:30pm. The following Commission members were present: Chair Barb Wade, co-chair Russell Chorpenning, John Hoffer, Shannon Duval, Geary Stepp. **Residents in attendance:** Jon Veley, David VanBuren, Daniel VanBuren (trustee), Evelyn VanBuren, Jeff Chorpenning (trustee), Tom Hill, Dee Krier, Stuart Mack, Don Watkins (trustee), Will Kern, Lee Rathburn, Barbara Selegue (zoning inspector), Brian Selegue, Ron Duval, Dave Hess, Connie Hess, Paula Mack, Bob Volland, Yetta Paeltz and Jon Campbell.

The zoning commission has called this hearing after receiving an application from Stuart E. Mack property address 11405 Mack Road Glenford, OH 43739. Mr. Mack has asked the zoning commission to consider rezoning a 2.5 section of his property from the present zoning district, agricultural to the proposed zoning district of Medium-Low Density Residential District (R-2) in order to build a house without splitting off a 5 acre section of his family farm. There is no minimum lot size requirement in R-2. Mr. Mack has previously applied for a variance from the current 5 acre minimum lot size and the appeals board denied it.

Chair Barb Wade read the information which was received from the Licking County Planning commission on this matter. The Planning commission's staff report addressed several issues but in the end the staff recommended to deny the application, although the end vote by the planning commission was to approve it.

Tom Hill asked when the 5 acre minimum lot size in the agricultural district went into affect. Barb Wade said that since the county health department dropped the minimum lot size requirement, the township's lot size requirement went to zero since the township went by the county regulations. The zoning commission had several meetings in 2007 about this topic. The majority of residents that attended those meetings felt 5 acres would be a good lot size until the township develops a comprehensive plan. Tom Hill asked if that should have gone to the voters. The zoning commission sent the recommendation to the trustees, which is what the commission does in most cases and the trustees have the final say. Tom Hill said he thought most of the counties were doing away with a 5 acre lot size and going to something smaller. Shannon Duval said the commission reviewed several other area township resolutions in Licking County and several of them have a 5 acre minimum lot size. Barb Wade said they tried to drag out the process and asked for input from the residents at each meeting. Paula Mack asked if there was ever anything discussed about a situation like they are dealing with right now, a family with a farm that would like to split off a small section for a family member to build a house so they could stay on the farm. Barb Wade said there was a lot of discussion about this topic and most of the land owners with several acres that were present at the time, said if they can give the 2.5 acres they can give them 5.

Attorney Jon Veley was present representing The Mack Family. He stated that the goal for the Mack family is to conserve their farm land. They want to build a house on the existing farm but use as little land as possible and without separating any of the barns from the rest of the farm. Some of the members on the board do not want to put an R-2 district in the middle of an agricultural district but they would like to see the Macks being able to build a house on a portion of their property.

Mr. Veley said the Mack's would be willing to put a deed restriction on the remaining 37.5 acres of the farm. Dee Krier, chair of the appeals board, said this discussion on the deed restriction would change the way the appeals board looks at the situation. Ms. Wade asked if the Macks could reapply to

Record of Proceedings

Bowling Green Township Zoning Commission Hearing April 17, 2008

the appeals board for a variance with this deed restriction. Mr. Veley said the zoning commission could recommend to the trustees to pass the amendment with the deed restriction. Dan VanBuren asked what happens in 10 or 15 years if the daughter has children and wants to split off land for them. Tom Hill said the deed restriction could be for a certain number of years and then by that time the township would have a comprehensive plan to better control the zoning.

Dave Hess, resident who is also a farmer, said this situation will be coming up again and the township needs to have a comprehensive plan.

Ms. Wade asked the members of the appeals board that were present how they felt about the variance with the deed restriction. Dee Krier said the resolution says 5 acre and they have to go by that and can not pass the variance for profit or convenience. She suggests they just split of the 5 acres. But she can not speak for the rest of the board members.

Ron Duval said that is why there is a variance process. It should go on a case by case basis.

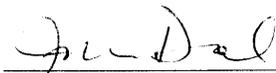
Ms. Wade asked if the neighbors are supportive of what Mack plans to do. All of the neighbors are supportive.

After the zoning commission makes a decision, they will send a recommendation to the board of trustees. The board of trustees will also have to have a public hearing. The board decided to hold a meeting on May 5th at 7pm in order to vote on this matter and begin discussion on a comprehensive plan.

Russell Chorpenning made a motion to adjourn. Barb Wade seconded the motion.



Chair



Clerk