

## ZONING COMMISSION MEETING

June 1, 2017

7:00 p.m.

Paul DiSantis called meeting to order. Roll call taken. Members present: Paul Disantis, Andy Kerr, Matt Allen, John Kerr and Keith Cornelius.

Motion made by Jon to approve the May 4, 2017 minutes, seconded by Paul. Members who were present voted. (Matt, Andy, Paul, Jon) Vote was unanimous to approve.

Motion was made by Keith to approve the minutes from the May 11, 2017 Special Zoning meeting, seconded by Jon. Members who were present voted. (Paul, Keith, Matt and Jon) Vote was unanimous to approve.

First order of business is Application 17-074, Applicants David and Jane Ann Weade, of 8410 Berkshire Rd., Sunbury, OH 43074 for a 6.14 acre Parcel #417-220-01-000 located on Berkshire Road, Tract 2. Applicant is requesting the parcel be rezoned from AG to FR-1, Residential. It was noted that Applicant has conditional approval from Regional Planning and will need to have final approval from the health department before building can occur. Jon made a motion to approve application #17-074 and it was seconded by Andy. Vote was held and it was unanimous to approve.

Second order of business is Application 17-075, Applicants Mallory and Mark Kemmerling, address 13040 Chambers Rd., Sunbury, OH 43074 for property owner Gary Milligan for two parcels: 417-120-01-007-000 and 417-120-01-010-000 located at 1690 and 1616 Carter's Corner Rd., Sunbury OH, 43074. Applicant is requesting that the parcels be divided into one 5.197 acre lot and one 2.032 acre lot, and that the smaller lot be rezoned from A-1 to FR-1. Motion was made by Keith to approve the application with the condition that the larger parcel remain zoned A-1 and only the smaller parcel be changed to FR-1. Paul seconded the motion. Vote was unanimous to approve.

Third order of business is Application 17-076 by Applicant Maple Craft LLC, 5863 Zarley St., New Albany, OH 43054 for property owners Timothy J. and Molly S. Ryan for a 7.56 acre parcel # 417-421-01-7000 located at 1524 St. Rt. 3, Galena, OH 43021. Before the applicant began stating the purpose for the application, it was explained by Jeff George, the township Zoning Inspector that the applicant had failed to get a response from Regional Planning before this meeting and therefore the Zoning Commission could not make any decision regarding the application without the report from Regional Planning. Jeff confirmed that he had spoken with Regional Planning as late as today, June 1, and they had no record of receiving the application. Township counsel confirmed that according to our code, the matter could not be decided on without that information. It was agreed by all parties that the application would be tabled until the next meeting, Thursday, July 6 at 7 p.m. at 1454 Rome Corners Rd., Galena, OH 43021.

Last order of business was a continuance hearing of Application 17-032, which is a proposed amendment to the Berkshire Township Zoning Resolution which would, if adopted, add Article 17 to the Zoning Resolution and create the 36/37 Planned Mixed Use District (PMUD) as a planned unit development under Ohio Revised Code Section 519.021(C) and which would include sections detailing: the purpose and establishment of the PMUD; requirements for the PMUD, including development tract sizes, permitted uses, open space and prohibited uses; establishment of a review process and procedure for the PMUD; requirements for contents of development plans; basis of approval; an approval period; process for modification or extension of development plan; provisions for design standards and minimum development standards including, but not limited to, access, setbacks, yard areas, signage, landscaping, parking, loading, and open space; and provisions for divergences from the minimum development standards. This amendment would also amend Article 5 by adding the 36/37 PMUD as a zoning district and revise the Zoning Map to designate the 36/37 PMUD area. A "final" red-lined copy of this proposed amendment with all previous changes requested was provided to the Board prior to this meeting and is attached for the record. All red-lined items in the application from the previous meetings were discussed previously and are agreed upon unless otherwise noted in these minutes.

David Fisher from Kephart Fischer, LLC and Skip Weiler from Weiler Company were present to represent Northstar and answer questions from the Board.

After a request for comments and discussion, Paul made a motion to accept Application 17-032 adding Article 17 to the Berkshire Township Zoning Resolution thereby creating a 36/37 Planned Mixed Use District. Paul stipulated that approval be subject to the modifications made and represented in the Red-Lined Copy dated 5/24/2017 of the Application. The motion was seconded by Andy. A vote was held and the motion passed unanimously.

A motion was made by Paul and seconded by Keith to adjourn the meeting. Vote was unanimous to adjourn.

Respectfully submitted,

Shawna Burkham

Secretary