



## PLAIN TOWNSHIP ZONING COMMISSION

### MEETING MINUTES

November 14, 2019

Chair Scott Harper called the Plain Township Zoning Commission Meeting to order at 7:00 p.m.

#### **ROLL CALL**

Attending the Plain Township Zoning Commission Regular Meeting were Scott Harper, Chad Blind, Greg Kovacs, and Tom Byerly. Greg Eller, Mark Sowle and Rick Wieland were absent. Zoning Officer, Ben Collins and Assistant Zoning Officer, Mary Fee were also in attendance.

#### **ADDITIONS OR CORRECTIONS TO AGENDA**

None

#### **APPROVAL OF MINUTES**

##### **September 12, 2019 Meeting Minutes**

Mr. Blind made a motion to approve the September 12, 2019 meeting minutes as submitted. Mr. Kovacs seconded the motion. All in Favor. Motion carried.

#### **RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS**

None

#### **ZONING OFFICER'S REPORT**

There was a short discussion regarding the possible expansion of the New Albany Storage facility. One of the neighboring properties may be available for purchase. The low intensity use works well for the site. The NE corner of Harlem Road and Smothers Road has quite a bit of construction debris that has been dumped there. The parcel is located in Delaware and not within Plain Township.

#### **NEW BUSINESS**

Mr. Harper started the discussion on the Agritourism text amendment that has been discussed over the past few months. He indicated that it was well written and the definitions to be added were also good.

The storage of recreational vehicles and RVs being used as residences is also included in the zoning amendment recommended changes.

The text of the modifications have been reviewed by the Township's legal council, Brosius, Johnson, and Griggs. They represent hundreds of townships and the bulk of their business is township zoning and development. There have been maybe 6 agritourism amendments that have been adopted that could be found. Brosius, Johnson, and Griggs' recommendations and comments have been incorporated in the proposed Agritourism text. The big challenge has been coming up with the framework for the new language to exercise the new authority. Trying to come up with limitations that are reasonable and appropriate in scale and scope.

Mr. Collins provided the board with a spreadsheet of structures within Plain Township and to see how the proposed code will look when compared to existing structures and operations. Some of these properties are working farms and not are not engaging in agritourism activities. They were used to give a visual reference. There was a short discussion about the sample properties.

Mr. Kovacs like the look of the table that is included in the Accessory Structures portion of the zoning text. The table is an overall synopsis and has everything spelled out in detail. He would like to see a similar summary table at the beginning of the Agritourism amendment. There was a short discussion concerning the table. There was a discussion on definitions and if they should be included within Section 455. Mr. Harper would like to see consistency within the code. Mr. Harper would like to see the definitions remain separated and located within the definition section.

Mr. Collins reminded the board that standards need to be reasonable and appropriate. Actual agricultural uses are exempt. The higher setbacks pertain more to the larger parcels and structures. Mr. Collins stated that the board will get comments from the Franklin County Planning Commission. The size of the structure in relation to the setbacks was discussed. Egress and ingress was also discussed. Reasonable distance was the objective. The authority having jurisdiction over the right-of-way would have the final say on egress and ingress distance from intersections.

Legal council wanted to point out that viniculture/viticulture holds a special place in Ohio law. Wine vinting remains exempt from our authority to regulate under Agritourism. It has popped up in areas where a wedding barn will claim it is engaged in viniculture/viticulture because they have 3 bottles of wine that they produced. The Ohio Supreme Court has said if you can produce grapes then you are exempt.

Mr. Collins detailed the process that needs to be taken to finalize the amendment. The Zoning Commission's recommendation is forwarded to Franklin County Planning Commission. Franklin County Planning commission reviews and makes their recommendation. A Public Hearing will be scheduled for next regular Zoning Commission Board meeting after which, the Zoning Commission makes a recommendation to the Plain Township Board of Trustees and they will schedule a public hearing for after the first of the year.

Greg Kovacs made a motion to amend the Plain Township zoning text as presented with the change language that there be a combined summary table at the beginning of Agritourism Section 455.02. Scott Harper seconded the motion. A roll call vote was taken: Scott Harper-yes; Chad Blind-yes; Greg Kovacs-yes; Tom Byerly-yes. Motion carried.

Greg Kovacs made a motion to set a public hearing for the proposed amendment on December 12, 2019 at 7pm. Chad Blind seconded the motion. All in favor. Motion carried.

There was a short discussion as to advertisement of the hearing. Mr. Collins indicated that it would be advertised in either ThisWeekNews, the Columbus Dispatch, or The Daily Reporter. The Board of Trustees would like stakeholders within the township to be aware of and participate in the hearing. A newly constructed wedding venue on Babbitt Road was discussed. Occupancy, public safety, and fire suppression system requirements were mentioned.

**OLD BUSINESS**

None

**HEARINGS**

None

**BOARD MEMBER COMMENTS**

None

**ADJOURNMENT**

Mr. Kovacs made a motion to adjourn the meeting. All in favor. Motion Carried. The regular meeting of the Plain Township Zoning Commission was adjourned.

**\*\*AS APPROVED\*\***



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Ben Collins  
Zoning Commission Secretary