



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP, *Interim Executive Director*

****SUBDIVISION REGULATION PUBLIC HEARING MINUTES****

Thursday, October 26, 2006 at 7:00 PM

Delaware Hayes Services Building,

140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

• Call to order

Chairwoman Foust called the meeting to order at 7:00 p.m.

• Roll Call

Representatives: Paul Snajd, Rick Sedlacek, Fred Fowler, Glen Evans, Steve Burke, Gary Gunderman, Leslie Warthman, Bob Talbott, Holly Foust, Charles Heimlich, Dick Gladman, Larry Crile, Marvin Miller, Lloyd Shoaf, Tom Brown, Scott Love, Bonnie Newland, Mike Dattilo, and Larry Starling. *Alternates:* Gary Spanner, Pat Blayney, and Charles Sheets. *Staff:* Scott Sanders, Paul Deel, Jason Kaplan, Da-Wei Liou and Stephanie Matlack.

II. 2006 SUBDIVISION REGULATION DISCUSSION

Chairwoman Foust explained that a motion to set this public hearing was made in a regular meeting on August 31, 2006. Public notice was sent to the Commission members and Township clerks. The meeting was also advertised in the Delaware Gazette and the RPC web site. The meeting was called to discuss the proposed changes to the Delaware County Subdivision Regulations. She asked that all cell phones and pagers be turned off or turned to silent.

(Please note the minutes are a summary, not a verbatim account.)

Mr. Sanders explained that this draft does not include any regulations on the 5-20 acre lot splits and it makes no changes to the Common Access Driveway regulations. Both of those issues are being discussed by the new Advisory Committee. That group has met once. The second meeting will be Nov. 1st. The Advisory Committee is working on the CAD regulations first then will start on the large lot review. The bulk of the changes in this document have to do with timing issues for plats.

Mr. Sanders stated that he received comments from a few people. He thanked Mr. David Shade for his suggestions. Two of those comments have been incorporated into the proposal. The first comment was in section 207.01 for the general description of the No Plat Approval (NPA) process.

Old version: Section 207: No Plat Approval (NPA) Subdivision Procedure

207.01 General. The No Plat Approval subdivision procedure (NPA Subdivision) may be used to request a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than five (5) lots, each one of which is less than five acres in size, after the original tract (as defined herein) has been completely subdivided. Pursuant to ORC § 711.131, no more than five (5)

lots, each one of which is less than five acres in size, may be approved under the NPA Subdivision Procedure without a plat from an original tract. No-plat subdivisions (lot splits) as described in ORC §711.131 are not permitted within a previously platted subdivision. The quantity of lots must include the residue, if any, of the original tract (ORC §711.131).

Proposed New Version:

207.01 General. The No Plat Approval subdivision procedure (NPA Subdivision) may be used, in accordance with ORC 711.131, to request a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than five (5) lots, after the original tract (as defined herein) has been completely subdivided. No-plat subdivisions (lot splits) as described in ORC 711.131 are not permitted within a previously platted subdivision. The quantity of lots must include the residue, if any, of the original tract (ORC 711.131).

The other comment was for the definition of original tract.

Old version:

Original Tract: An un-subdivided tract of land established by legal description and of record on January 1st of each calendar year.

Proposed New Version:

Original Tract: a tract of land that is: (1) a contiguous quantity of land undivided by lot lines and established by legal description that is of record on January 1st of each calendar year, and (2) is owned by one person or in common ownership, and which (3) is not part of any platted subdivision.

The RPC legal counsel has reviewed both proposed amendments and agrees with the changes.

Chairwoman Foust asked the public if there were any comments or questions on the proposed changes. Hearing none, she asked the Commission for their comments or questions.

Mrs. Warthman asked the status of the large lot review. Mr. Sanders stated that it was being discussed by the Advisory Committee. The Committee started with the CAD discussion. They will move on to the large lot discussion when they finish with CADs.

Mr. Shoaf made a motion to approve the revisions to Sec. 207.01 and to the definition of original tract as proposed by Mr. Sanders and as reflected in the proposed 2007 Subdivision Regulations submitted tonight. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Miller made a motion to close the public hearing. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Hearing adjourned at 7:15 p.m.

Kolly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant