

# Minutes of the Meeting of the Avon Township Planning Commission

July 31, 2013

Avon Township Hall (16881 Queens Road, Avon)

**Call to Order:** Chairman Mergen called to order the regular meeting of the Avon Township Planning Commission at 7:30 P.M. in the Main Chamber of the Town Hall.

**Pledge:** Deputy Clerk Gondringer led the Pledge of Allegiance.

**Roll Call:** Present – Gerry Kremers, Ken Mergen, Roger Nelson, Lowell Rushmeyer, and Marion Gondringer; Absent: Stephen Saupe.

**Approval of Agenda:** Mergen moved to approve the agenda of the meeting. Nelson second. All in favor. Motion carried.

**Minutes:** Nelson moved to approve the minutes of the June 26, 2013 meeting as written. Huston second. All in favor. Motion carried.

**Public Hearings:** *none scheduled*

## Scheduled Business:

- 1. Road right-of-way septic system encroachment - Eb Fuchs:** Request to place a septic system in the road-right-of-way. The drain field would encroach road-right-of-way by 6 feet. The encroachment is required to allow enough space to drive and park in front of the cabin/house. The soil type is ideal for a septic drain field therefore a mound system type drain field is not required. The contour of the ditch will not change or compromise its function in any way. Motion by Nelson to recommend to the supervisors the accepted encroachment of six feet, with the condition that it ends flush with the existing grade, and in lieu of the 84 inches of sand present in the drain field site. Kremers second. All in favor. Motion carried.
- 2. TDR – Transfer of Development Right - Lewis Fisher representing Dick Fisher, his son:** Fisher is requesting a Building Credit Transfer from Holding Township to Avon Township. Fisher explained the map of the property and its history. Dick Fisher has a 20-acre parcel in Avon Township with his current home. He would like to split off one and a half acre to build a new home. Because that split would not have a building credit, he is requesting the TDR from his land in Holding Township. The Holding land has not been owned by Fisher for a full three years as ordinance requires, therefore the TDR cannot be transferred at this time. The property was purchased in February of 2011. Louis Fisher states the land is already platted out as needed. Motion by Mergen to recommend approval by the Supervisors for a transfer of one building credit by Dick Fisher, contingent upon three years ownership of land in Holding Township. Nelson second. All in Favor. Motion carried.
- 3. Certificate of Compliance request by Lewis Fisher for a land split at Poverty Point:** Fisher is requesting the Certificate of Compliance to accommodate the attachment of a strip of land Louis owns to a separate parcel of land his son Mark owns. Mark Fisher wishes to attach the narrow strip of land which extends to the lake to his current parcel. Motion by

Mergen to recommend to the Supervisors to approve the Certificate of Compliance to attach this strip of land to the property. Mergen second. All in favor. Motion carried.

- 4. **Administrative subdivision - Mark Casey:** Casey is requesting a Certificate of Compliance to allow him to buy 12 feet of land to accommodate an addition onto his home. The purchase of the land needed will shift the property line. Impervious surface restrictions were discussed and found to be well within the necessary standard. Motion by Mergen to recommend approval of the request for the Certificate of Compliance for Casey to move forward with this purchase of land. Huston second. All in favor. Motion carried.
- 5. **Eric Kurtz driveway deposit return:** (19412 Red Oak Circle) Deposit will be refunded contingent upon a site inspection by Supervisor Gondringer to approve road condition after installation.

**Other Business:**

- 1. Discussion took place concerning a county proposal to set up a new zoning district (R-3) and the advantages of 3-acre parcels. Gondringer pointed out that before zoning was in place there were a great many 5-acre lots that had been split off for developing. The R-1 district was intended for land around a lake. Gondringer suggests that the R-3 may be a better more efficient use of land but has concerns about how a R-3 district may affect the R-5 zones that are already in place. Bresnahan brought up the concern that establishing an R-3 district may open up previous 5-acre lots for further development by requests to split off 3 acres thereby leaving a 2 acre plot remaining that could be subjected to Certificates of Compliance for further development. He suggested we do a study to determine how many 5-acre lots we now have in Avon Township to weigh the pros and cons of this possibility. He felt that 3-acre lots would encourage development in the rural areas when our focus is to keep small lots close to or adjoining the City of Avon within our growth corridor. Gondringer explained that this resembles spot zoning. He will bring these concerns to the County Planning Board at their next meeting.

**Announcements/Reports:** None

**Adjournment:** Huston moved to adjourn the meeting at 8:45 P.M. Nelson second. All in favor. Motion carried.

**Next Meeting:** The next meeting is August 28, 2013 at 7:30 PM.

Respectfully submitted,  
Marion J. Gondringer, Deputy Clerk

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Ken Mergen, Chair

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Date

Attest:  
  
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Date