

FAIRFIELD COUNTY PLANNING COMMISSION
December 16, 2021

I. Call to Order at 6:08 p.m.

Members Present:

Randy Kelley (Vice Chair)
Ben Gause
William Gray
Dr. Gaddy

Members Absent:

Chris Night (Chairman)
Jennifer Barnes
Neil Robinson (Council Liaison)

There are Vacancies on the Board, staff has advertise the opportunity to serve on the Planning Commission in Chronical as well the Voice for January publications.

Vice Chair Kelly, Mr. Gause, Mr. Gray and Dr. Gaddy were present in the Council Chambers. Also present in Council Chambers was:

Chris Netherton – Community Development Director
Daniel Stines – Community Planner
Austin Hayes (and his Father) – Applicant
Robert Hartman – Applicants attorney
Mr. Smolka (The Woods of Molly Creek HOA Chairman)
Members of the community from The Woods of Molly Creek)

II. Approval of Minutes:

Mr. Kelley opened the meeting with a request for motion to approve the agenda for the December 16, 2021 Agenda and Minutes of the October 28, 2021 meeting. Motion was made by Mr. Gause to approve the agenda and minutes, a second by Dr. Gaddy.

III. New Business:

- a. Staff updated the Planning Commission on the current commission roster and that staff would be announcing vacancies at the first of the year, after the Christmas and New Years Holidays, as well mentioned election of Officers taking place in January. Staff also updated the Commission on plans to start on the Fairfield County Comprehensive Plan. Commission was informed of their involvement that will be taking place and that this plan update would act as a catalyst to update the Land Management Plan.

IV. Public Comments: None

V. Old Business: None

VI. Subdivisions:

- a. **Hayes Property: Subdivision Review/Approval – Retreat Way Acceptance.**

Staff introduced the subdivision plat to the Planning Commission and briefed the Commission on the history of the property and other items related to the project. The plat request from Mr. Hayes was a 58 acre tract located within an existing subdivision located in The Woods of Molly Creek. Staff explained the uniqueness of this particular subdivision plat request, in that all the requirements for subdivisions have been previously met by the original developer. The neighborhood is +/- 12 years old, contains primary private roads, water, fire hydrants, landscaping, ingress/egress and necessary circulation requirements. Mr. Hayes has elected to subdivide his tracts into 10 lots, which created no new roads, met all setback requirements, lot dimensions, access, and related, in order to meet subdivision requirements. Mr. Hayes requests also met the requests of The Woods of Molly Creek HOA. A primary requirement for the subdivision plat to be approved was to quit claim and deed a portion of his, as well a neighboring property, so that Retreat Way would become deeded and dedicated to The Woods of Molly Creek HOA. Prior to this instance the road has partly remained in the name of the former developer, and a section remained owned by Mr. Hayes and an adjacent

property owner with easement access only. Per the Fairfield County Land Management Plan, Article 7, a road must be deeded to meet land development requirements. Planning Commission members entertained comments from the Applicant pertaining to Retreat Way, after much discussion, it was determined by way of vote to accept the subdivision as presented, and to accept Retreat Way to be a privately deeded street to service the members of the community of The Woods of Molly Creek. Mr. Gray made the motion to accept both the subdivision and Retreat Way, a second was made by Dr. Gaddy, Mr. Kelly called the vote pass at 4:0.

The record should also show that staff retained the re-zoning request from the applicant despite the re-zoning request being tabled due to HOA restrictions and covenants being presented after the applicant filed for the re-zoning request. While the re-zoning matter was not heard, it remained in the agenda packet for information only. Staff had completed all processes required for a re-zoning request before the HOA restrictions and covenants were brought to attention.

VII. Public Comments:

- a. Members of the HOA and residents attended the meeting. Mr. Smolka represented the group and raised discussion points and the importance of Retreat Way being deeded and accepted. He also mention his work to have the remainder of Retreat Way deeded to the HOA, and out of the previous developers name, in which he said he had all the necessary paper work on file at James Law Office and was near finalized. Mr. Hartman raised points pertaining to the legitimacy of an easement, which was in place on Mr. Hayes property and while this may be true and both staff and Commission understand this, the Land Management Ordinance strictly states that a street/road should be deeded, whether public or private.

VIII. Open Time: None

**Adjourn at 7:40 PM by motion of Mr. Kelley and second by Mr. Gray.
Motion carried 4-0.**