

# Planning Commission "Special Meeting" Minutes

February 6, 2004

The Gallia County Planning Commission held a special meeting at the request of property owner **Rowdy Evans**, Springfield Twp., Section 22. The meeting was held on Friday, February 6, 2004 at 4:30 p.m. with the following members in attendance: Craig Barnes, Terry Hemby, Lester Plymale, Paul Shoemaker, Glenn Smith, Steve Swatzel and County Commissioners Bill Davis and Harold Montgomery. Others present were Connie Newell, Rowdy Evans and Seth Montgomery.

Paul Shoemaker chaired the meeting and established a quorum. Mr. Evans presented his request for a Variance of Section 413.3. (attached) The members had a lengthy discussion regarding the issues involved. Bill Davis moved to approve the variance contingent upon the Health Departments approval of septic, and that the lot sizes be adjusted to make them all 3 as nearly equal in size as possible. Harold Montgomery seconds the motion, the members voted in the following manner.

Craig Barnes, Yes  
Bob Condee, absent  
Terry Hemby, Yes  
Tom Meadows, absent  
Yes

Steve Swatzel, No  
Bill Davis, Yes  
Harold Montgomery, Yes  
Lester Plymale, (left before vote) Glenn Smith,

Meeting adjourned.

*(Secretary NOTE: Above motion rescinded - See 3/1/04 Minutes)*

## Appendix C – Application for Subdivision Variance

Date 2/5/04  
Name Rowdy Evans  
Address \_\_\_\_\_  
Phone 446-8840

1. Location description: Evergreen Road, Springfield Twp, Section 22
2. Nature of Variance requested (general description): Variance of Section 413.3 of the Gal-  
lia County Subdivision Regulations
3. Justification of Variance: attach a statement that includes the following items, justifying the reason for variance from the requirements of the Subdivision Regulations.
  - a. Exceptional topographical or other conditions peculiar to this particular parcel of land;
  - b. Why a literal interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners;
  - c. That the peculiar conditions do not result from previous actions of the applicant;
  - d. That the requested Variance is the minimum Variance that will allow a reasonable division of the land;
  - e. A sketch of the area showing the location and characteristics of the requested Variance.

I certify that all information contained in this application and its supplements, is true and correct.

Rowdy Evans (original signature on file copy)  
Signature of Applicant

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For Official Use

Date filed 2/5/04

Action APPROVED as per 2/6/04 minutes attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 2/6/04

Paul Shoemaker

Chairman

February 5, 2004

## STATEMENT

I ask my surveyor if I could obtain 3 parcel splits in the above-described area. He called the Engineer's Office to obtain the road right-of-way and was told by Seth Montgomery that it was 30'. With this information he informed me that I would be able to get 3 parcel splits from this tract; I instructed him to proceed with the surveys. Once the surveys were completed they were sent to the Engineers office to approve the description and plat for accuracy and at that time Craig Barnes advised my surveyor that the right-of-way was incorrect. Whereas this county road was once an old State Route the right-of-way is 60' not 30' as most county roads. Using "corrected" 30' right-of-way the three surveyed tracts do not meet the minimum required lot size. Due to the inaccurate information and/or confusion from the Engineers office I am requesting a variance of section 413.3 I would not have proceeded with the surveys if I had not been able to obtain a total of 3 parcel splits as originally informed from my surveyor which was based on information from the Engineer's Office. I would appreciate your consideration of this issue and solicit your understanding and approval of this requested variance.

Respectfully,

(signature on file)

*Rowdy Evans*