



# DELAWARE COUNTY REGIONAL PLANNING COMMISSION

109 N. Sandusky Street, Delaware, Ohio, 43015 Phone 740-833-2260 Fax 740-833-2259  
www.dcrpc.org

**Philip C. Laurien, AICP, Executive Director**

**\*MINUTES\***

**Thursday, January 27, 2005 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
- Roll Call
- Approval of December 16, 2004 RPC Minutes
- Executive Committee Minutes of January 19, 2005
- Statement of Policy

**II. VARIANCES**

27-02.D.V Wedgewood Park, Sec. 2, Ph. D – requesting a 5 lot CAD

**III. PUBLIC CONSTRUCTION PROJECTS** *(none)*

**IV. ZONING MAP/TEXT AMENDMENTS**

- 01-05 ZON 3S / Hidden Ravines LLC – Orange Twp. – 1.77 acres – PC –development plan change
- 02-05 ZON Charles & Paula Sherman – Harlem Twp. – 2.475 acres from AR-1 to FR-1
- 03-05 ZON Hugh Mann – Harlem Twp. – 8.26 acres from AR-1 to FR-1
- 04-05 ZON Troy Twp. Zoning Commission – text amendments – Art. IV, XI (version 6), PRD (11/10/04)
- 05-05 ZON **T** The Glimcher Co. – Orange Twp. – 32.526 acres from PC to MFPRD
- 06-05 ZON George & Donna Hogg – Berkshire Twp. – 6.936 acres from A-1 to FR-1
- 07-05 ZON Jomar Partnership – Berkshire Twp. – 63.9 acres from A-1 to PCD
- 08-05 ZON Heritage Christian Church – Genoa Twp. – 14.7 acres from RR to CF
- 09-05 ZON Grace Brethren Church of Powell – Liberty Twp. – 18.1 acres from FR-1 to PR
- 10-05 ZON Scioto Twp. Zoning Commission – Comprehensive Plan Review

**V. SUBDIVISION PROJECTS**

		<b>Township</b>	<b>Lots/Acres</b>
<b><u>Preliminary</u></b>			
01-05	Cheshire Woods, Sections 1-4	Berkshire	271 lots / 228.68 acres
06-05	Cheshire Woods Estates	Berkshire	50 lots / 139.30 acres
05-05	The Estates at Sherman Lakes	Berlin	34 lots / 40.70 acres
02-05	Estates at Medallion	Genoa	11 lots / 7.42 acres
04-05	The Manors at Willow Bend	Genoa	16 lots / 12.46 acres
26-04	<b>T</b> Fairways at Blue Church	Kingston	243 lots / 605.00 acres
27-02.D	Wedgewood Park, Section 2, Phase D	Liberty	43 lots / 33.69 acres
03-05	Wilshire, Section 7, Phases 1 & 2	Orange	49 lots / 34.60 acres

**Preliminary/Final** *(none)*

**Final**

15-04	<b>T</b> Whisper Trace	Concord	13 lots / 28.63 acres
26-99.4	The Woods of Dornoch, Sec. 4	Delaware	21 lots / 08.86 acres

**T=TABLED, W=WITHDRAWN**

**VI. EXTENSIONS**

**VII. OTHER BUSINESS**

- Consideration of approval: Application Fee waiver for Fulton Creek Friends Church lot split
- Disposal of Surplus Office Equipment Resolution #01-2005
- Consideration for approval: Transfer of Appropriation \$625.38 from Salaries to Benefits for 2005 Insurance increase
- Consideration of approval: Food purchases
- Consideration of approval: 2004 Contract overtime pay out

**VIII. POLICY / EDUCATION DISCUSSION**

**IX. RPC STAFF AND MEMBER NEWS**

## I. ADMINISTRATIVE BUSINESS

### ▪ Call to Order

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

### ▪ Roll Call

Representatives present: Paul Snajd, Ken O'Brien, Robert Hedrick, Fred Fowler, Steve Burke, Tom Hopper, Dave Lavallo, Holly Foust, Charles Heimlich, Dick Gladman, Carolyn VanBrimmer, Bill Thurston, Shawn Leininger, Lloyd Shoaf, Bill Berry, George Mason, Robert Jones, Bonnie Newland, and Mike Datillo. Alternates present: Jack Smelker, Scott Pike, and Mary Newcomb. Arrived after roll call: Gary Spanner and Leslie Warthman. Staff present: Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Stephanie Matlack, Bob Sochor and Da-Wei Liou.

### ▪ Approval of the December 16, 2004 RPC Minutes

*Mr. Gladman made a motion to approve the minutes from 12/16/04, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

### ▪ January 19, 2004 Executive Committee Minutes

#### 1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Steve Burke, Jim Ward and Leslie Warthman. Staff present: Phil Laurien and Stephanie Matlack.

#### 2. Approval of Executive Committee Minutes

- a. **December 8, 2004** – *Mr. Gladman made a motion to approve the minutes of the Dec. 8<sup>th</sup> meeting, seconded by Mrs. Warthman. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.*
- b. **December 22, 2004 special meeting** - *Mr. Gladman made a motion to approve the minutes of the Dec. 22<sup>nd</sup> special meeting, seconded by Mrs. Warthman. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.*

#### 3. Old Business

##### a. Contract updates –

- 1.) **Liberty** – more than half way complete on comp. plan
- 2.) **Ashley** – comp. plan draft complete
- 3.) **Scioto** – comp. plan draft complete, awaiting comments
- 4.) **Genoa** – comp. plan draft complete, awaiting comments
- 5.) **Concord** – met last week to discuss, should begin zoning code update in the next couple of weeks. Mr. Charlie Vince has expressed interest in doing the conservation subdivision overlay of the FR-1 district to the Township first. If the township instructs is to do so, we will.
- 6.) **Troy** – Phil has completed the PRD and PCD zoning amendments, Paul to continue working on the complete update.
- 7.) **Brown** – new zoning code draft complete
- 8.) **Berlin** – zoning update complete

##### Upcoming contracts:

- a. **Harlem** – starting soon on the comp. plan

**4. New Business**  
**a. Financial / Activity Reports for December 2004**

REGIONAL PLANNING RECEIPTS		DECEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$140.00	\$14,405.00
Fees A (Site Review)	(4202)		\$3,820.00
Insp. Fees (Lot Line Transfer)	(4203)		\$1,040.00
Membership Fees	(4204)		\$152,781.97
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$8,319.86	\$69,287.49
Associate Membership Fees	(4206)		\$3,000.00
Charges for Serv. A (Prel. Appl.)	(4230)		\$140,363.03
Charges for Serv. B (Final. Appl.)	(4231)		\$92,975.21
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$2,000.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$5,110.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,449.00
General Sales	(4220)	\$52.00	\$5,517.58
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)		\$48,210.00
Soil & Water Fees	(4243)		\$5,945.00
<b>MISCELLANEOUS REVENUE</b>			
Other Reimbursements	(4720)		\$40.00
Other Reimbursements A	(4721)	\$0.50	\$43.21
Other Misc. Revenue (GIS maps)	(4730)	\$66.00	\$3,453.07
Misc. Non Revenue Receipts	(4733)		\$800.00
Sale of Fixed Asset	(4804)		\$700.00
<b>TOTAL RECEIPTS</b>		<b>\$9,128.36</b>	<b>\$550,940.56</b>

<b>Balance after receipts</b>	<b>\$206,111.05</b>
<b>Expenditures</b>	<b>- \$ 63,579.74</b>
<b>End of December balance</b>	<b>\$102,896.60</b>

*Mr. Gladman made a motion to approve the financial reports as presented. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. January RPC Preliminary Agenda** – Mr. Laurien presented the Preliminary agenda which included 1 variance, 9 rezoning/text amendments, 8 preliminary and 2 final applications (1 tabled).
- c. 2005 Contract rates** – Mr. Laurien explained that the current contract rates for out of county work are at the current staff rate x overhead (includes hospitalization, workers comp., PERS, medicare and dental) x 25%.

*Mrs. Warthman made a motion to continue with the current out of county contract rates for 2005 at 25%, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- d. 2005 Agenda Subscription Rates** – Mrs. Matlack explained that the current subscription rate is \$40.00 and has been unchanged since at least 1996. She explained that the subscription covers

the copies and postage for the preliminary agenda and minutes that are mailed on a monthly basis. It also includes the copies and postage for the annual report mailed yearly in the spring. As the details in the agendas have increased, so has the amount of paper needed.

**Considering the increase of costs to produce the monthly agenda/minutes mailing and annual report, Mrs. Warthman made a motion to approve the increased charge of \$60.00 for the 2005 Agenda Subscription fees. Chairwoman Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- e. **Recommendation for approval: Food Purchases for RPC and Executive Committee meetings - Mr. Gladman made a motion to approve food expenditures for RPC and Executive Committee meetings as described in the each years approved budget. Mr. Burke seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.**

(The 2005 Budget allowed for \$275.00 for Food purchases.)

- f. **Recommendation for approval: 2004 Contract overtime payment – Mr. Laurien presented the Committee with a breakdown of staff contract overtime and salary. This work represents pre-approved contract over-time. The work has been done; the RPC has been paid.**

Staff	Contract OT hours available for pay	Salary	Benefits (PERS, Medicare, WC)	Total
Phil Laurien	125	\$5,092.50	\$836.7	\$5,929.20
Paul Deel	37.25	\$936.84	\$153.92	\$1,090.76
Scott Sanders	20.5	\$445.47	\$73.19	\$518.65
Joe Clase	54.25	\$1,020.44	\$167.66	\$1,188.10

**Mr. Gladman made a motion to recommend approval of the 2004 contract overtime as follows: Phil Laurien \$5,092.50, Joe Clase \$1,020.44, Paul Deel \$936.84 and Scott Sanders \$445.47. The total amount to be paid out including benefits is not to exceed \$8,726.71. Chairwoman Foust seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.**

**5. Other Business**

- a. **Subdivision Regulations** - Chairwoman Foust asked if the subdivision regulation amendments were ready for Commission review. Mr. Laurien stated that both the Technical Review Committee and the Advisory Committee have made suggestions and are now meeting together to finalize a draft for the Commission to review. Attorney Don Brosius has been asked to provide language to conform incorporate Senate Bill 115 (5-20 acre review). This bill has passed both Houses but the Governor has not yet signed it. He is also working on suggestions for NPA's within a recorded subdivision. The next meeting is scheduled for February 9<sup>th</sup>, 9 a.m.-11 a.m. Chairwoman Foust asked where Chris Bauserman stood on the increased lots on a CAD. Mr. Laurien stated that he has spoken with Chris's staff but not him directly. Chairwoman Foust asked for a meeting with Mr. Bauserman, Mr. Brosius, Mr. Laurien and herself. Mr. Laurien suggested discussing it at the next meeting on the 9<sup>th</sup>. Chairwoman Foust agreed.

**6. Personnel**

- a. **Director's Review** – Mr. Laurien presented the Committee with a self-evaluation as requested by Chairwoman Foust.

**Mr. Gladman made a motion to accept the evaluation, seconded by Chairwoman Foust. VOTE: Unanimously For, 0 Opposed. Motion carried.**

## 7. Adjourn

*Mr. Gladman made a motion to adjourn the meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 9:45 a.m.

*The next regular Executive Committee meeting will be Wednesday, February 16, 2005 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015*

## **P Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

## **II. VARIANCES**

### **27-02.D.V Wedgewood Park, Sec. 2, Ph. D – requesting a 5 lot CAD**

#### **Request**

Virginia Homes Ltd. is requesting a variance to the maximum number of lots allowed on a CAD in its Wedgewood Park Section 2 subdivision. The current regulation allows a maximum of three lots on the CAD, and two additional lots which are contiguous to the public road.

#### **I. Criteria for a variance**

*The burden is on the applicant to demonstrate in writing, each of the following:*

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties.
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

## **II. Staff Comments**

The original plan for Phase D showed two cul-de-sacs with public street standards, with all lots at least 6/10 an acre in size. The layout suggested an excessive amount of cut and fill within the wooded ravines of the site. In December 2002, Wedgewood Park Section 2, Phases A-C were approved. The Commission asked that Phase D be re-designed.

The applicant has submitted a revision that includes two paved CADs in the ravine area, each with intersection turning radii to allow access by emergency equipment. Common Access Drives are an alternative to the construction of streets at public street standards on a case-by-case evaluation of site-specific characteristics. In this case, the slopes and preservation of environmentally sensitive areas justified the CAD. Also, the submitted plan represents a compromise between the developer and Liberty Township, which is allowing some lots to be reduced to 4/10 an acre.

## **III. Staff Recommendation**

Staff recommends **Approval** to the RPC for the request by Virginia Homes for a variance in the number of lots allowed on a CAD.

## **Commission/ Public Comments**

Mr. Andrew Gardner of Bird + Bull was present.

Mrs. Warthman asked if the CAD would be constructed under the proposed CAD standards. Mr. Gardner said yes. Mr. Sanders added that the driveway would be paved and the street signs would be consistent with the other signs in the development.

***Mrs. Warthman made a motion for approval of the variance request for Virginia Homes. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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## **III. PUBLIC CONSTRUCTION PROJECTS (none)**

## **IV. ZONING MAP/TEXT AMENDMENTS**

**01-05 ZON      3S / Hidden Ravines LLC – Orange Twp. – 1.77 acres – PC –development plan change**

**Location:** 86 Hidden Ravines Drive, Powell, OH 43065

## **I. Conditions**

**Present Zoning:** Planned Commercial (PC)

**Proposed Zoning:** Planned Commercial (PC)

**Present Use:** Office

**Proposed Use:** Office/Religious Assembly Church in Building A

**School District:** Olentangy

**Utilities Available-** Del Co Water, Sanitary Sewer

## **II. Surrounding Land Use**

North is the Kingwood Cemetery. West is the Drug Emporium headquarters and the Hidden Ravines Condominiums. South is Planned Commercial, East is US 23/Columbus Pike with Planned Commercial across the street.

## **III. General Comments**

A zoning request was made by the applicant in August of 2002 with recommended approval by the RPC for building B to be used as an assembly and office area for a church. Applicant is now requesting a change of use in the other building (A) for similar use. The building will include an assembly area of 2,235 sf, plus meeting rooms, restroom facilities and a common areas. The zoning requires 45 parking spaces based on the assembly area. The church will use the 50 existing spaces in the lot.

## **IV. Criteria for Approval**

*“1) Consistent in all respects with the purpose, intent and general standards of the Zoning Resolution.”*  
The Religious Land Use and Institutionalized Persons Act of 2000 states that governmental entities cannot impose a substantial burden on religious exercise. However, Orange Township feels that it is reasonable for the applicant to ask for a change of zoning to amend the planned district to reflect a new use.

*“2) In conformity with the comprehensive plan or portion thereof as it may apply.”*  
The Orange Township Master Plan of 2001 encourages Planned Commercial for the area, it is already developed as Planned Commercial and the use is consistent with the zoning.

*“3) Advances the general welfare of the County and the immediate vicinity.”*  
The new use does advance the general welfare of the vicinity by providing a meeting space for the congregation with no additional development impact.

## **V. Conformance with Development Standards**

The applicant appears to have addressed adequately all the development standards of the Planned Commercial District. No buildings are being built and the new use will continue to utilize the existing parking.

## **VI. DCRPC Staff Recommendation**

Staff recommends **Approval** of the change from PC to PC with a change of use to the DCRPC, the Orange Township Zoning Commission and the Orange Township Trustees.

## **Commission / Public Comments**

Mr. Mike Karpinski was present to represent the applicant.

Mr. Gladman asked if building B was now to be a dentist office. Mr. Karpinski stated that yes, it would be an orthodontist office. Mr. Gladman stated that only building “A” would be used for a church.

***Mrs. Warthman made a motion to recommend approval of the rezoning requested by 3S/Hidden Ravines. Mr. Snajd seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Gladman). Motion carried.***

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**02-05 ZON Charles & Paula Sherman – Harlem Twp. – 2.475 acres from AR-1 to FR-1**

**I. Request**

The applicants, Charles and Paula Sherman, are requesting a 2.475-acre rezoning from AR-1 to FR-1. This acreage is part of the applicants' 34.697-acre property. The applicants' intent to file a no-plat application to split this lot for the construction of a single-family residence. The property currently contains a single-family residence on Woodtown Road.

**II. Conditions**

**Location:** Northwest corner of Woodtown Rd and SR 605, Harlem Twp

**Present Zoning:** Agricultural Residential (AR-1)

**Proposed Zoning:** Farm Residential (FR-1)

**Present Use(s):** Agriculture

**Proposed Use(s):** Single-family residential

**Existing Density:** 1 du / 5 acres

**Proposed Density:** 1 du / 2 acres

**School District:** Big Walnut Local School District

**Utilities Available:** Del-Co Water and private on-lot septic systems

**Critical Resources:** Creek along southern boundary

**Surrounding land uses:** Scattered single-family residences and agricultural land

**Soils:** BeA: Bennington Silt Loam (0 to 2% slopes), PwA: Pewamo Silty Clay Loam (0 to 1% slopes)  
CeB: Centerburg Silt Loam (2 to 6% slopes)

**III. Comments**

The Delaware General Health District has approved private primary and secondary treatment systems for the proposed lot. The applicant will need to secure a drive permit from the Ohio Department of Transportation prior to filing for the lot split.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as agriculture. The plan recommends that residential development in this area be on large lots but does not recommend minimum lot acreage. The southeastern portion of this property is recommended for commercial development. The existing creek will provide a good buffer between this proposed residence and the adjacent planned commercial.

Surrounding land uses include scattered single-family homes surrounded by woods and agricultural fields. This proposal is in character with the surrounding neighborhood.

**IV. Staff Recommendations**

Staff recommends **Approval** of the rezoning case from AR-1 to FR-1 for Charles and Paula Sherman to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

**Commission / Public Comments**

No one was present to represent the applicant.

***Mr. Gladman made a motion to recommend approval of the rezoning request by Charles and Paula***



**Sherman. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**03-05 ZON      Hugh Mann – Harlem Twp. – 8.26 acres from AR-1 to FR-1**

**I. Request**

The applicant, Hugh Mann, is requesting an 8.26 acre rezoning from AR-1 to FR-1. The applicant has expressed intent to subdivide this property into two single-family residential lots, creating a 4.90-acre lot behind the existing residence.

**II. Conditions**

**Location:** North side of Center Village Rd, about ¼ mile west of Miller-Paul Rd, Harlem Twp

**Present Zoning:** Agricultural Residential (AR-1)

**Proposed Zoning:** Farm Residential (FR-1)

**Present Use(s):** Single-family residence, pastures, and woods

**Proposed Use(s):** Single-family residential lots

**Existing Density:** 1 du / 5 acres

**Proposed Density:** 1 du / 2 acres

**School District:** Big Walnut Local School District

**Utilities Available:** Del-Co Water and private on-lot septic systems

**Critical Resources:** None

**Surrounding land uses:** Scattered single-family residences and agricultural land

**Soils:** BeA: Bennington Silt Loam (0 to 2% slopes)

PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

**III. Issues**

1. **Electric Easement:** This property contains a 150-foot wide power line easement that occupies the western half of the lot. The applicant has indicated his intent to utilize this area of the property for gaining access to the proposed flag lot. While certain features may be permitted within this easement, permission must be granted from the power company. A letter will need to be provided by the power company to verify that any proposed drive, residence and/or on-lot treatment systems will not violate easement restrictions.
2. **Soils:** This lot is predominately Pewamo (PwA) soil, which is not acceptable for on-lot treatment systems. There is no guarantee that the proposed lots can be subdivided as proposed. The landowner should consult with the Delaware General Health District to assure that there is adequate area and suitable soils for additional septic systems.
3. **Comprehensive Plan:** The 1988 Harlem Township Comprehensive Plan indicates the proposed site as residential. The plan recommends that residential development in this area be on large lots but does not recommend minimum lot acreage. Due to the surrounding 5-acre lots that appear share the deep nature of this property, the FR-1 district would change the character of the area.

**IV. Staff Recommendations**

Staff recommends **Denial** of this rezoning case from AR-1 to FR-1 for Hugh Mann to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees, *due to the existing low-*

*density residential properties in the immediate area.*

If there is no objection from adjacent owners at the township Zoning Commission public hearing, staff could support a **Conditional Approval** of this rezoning, *subject to providing documentation from the electric company regarding approval of all proposed development features within the easement and written endorsement from the Delaware General Health District that an additional on-lot treatment system would be permitted on this site.*

**Commission / Public Comments**

No one was present to represent the applicant.

***Mr. Gladman made a motion to recommend denial of the rezoning request by Hugh Mann, seconded by Mr. Spanner. VOTE: Unanimously For Denial, 0 Opposed. Motion carried.***

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**04-05 ZON      Troy Twp. Zoning Commission – text amendments – Art. IV, XI (version 6), PRD (11/10/04)**

**Applicant:** Troy Township Zoning Commission

**Request:** Text Amendments to Articles IV, Definitions and XI, Planned Residential Development

This submission text is the product of an update by members of the Zoning Commission, and Board of Zoning Appeals assisted by DCRPC.

**I.            Issues**

- A. **Article IV-** Amendment by motion of the Troy Township Zoning Commission to add five new definitions in Article IV (Definitions) that pertain to the new proposed Planned Residential Development Article XI. New definitions are:
- Dwelling Unit, common Wall Single Family Attached
  - Dwelling Unit, detached single Family
  - Dwelling, multi family
  - Historic buildings
  - Net Developable Acreage
- B. **Article XI-** Delete the current Article and replace with the new Article XI, Planned Residential Development.

**The major changes from the old PRD to the new PRD are:**

1. Eliminated the weak language that applied the PRD “to all lands in the township regardless of size”. This is the language that was at the center of Berlin Township’s loss at the Court of Appeals.
2. Went from a one step to a two step preliminary/final development plan process. The applicant can opt for a simultaneous preliminary-final development plan

3. Incorporates the net developable acreage concept for density calculations.
4. Eliminates conditional uses except for telecommunications towers, pursuant to state law. All other uses are either permitted, accessory, or prohibited.
5. Changes the allowable densities from a maximum of four units per gross acre to a maximum of two units per net developable acre.
6. Establishes single-family houses as the primary permitted uses. They may be attached or detached, but attached may only be in groupings of up to three dwelling units. Four or more units attached would constitute multi family, which may make up a maximum of 15% of the total density.
7. Establishes design standards such as:
  - a.) Minimum PRD tract size of 20 acres.
  - b.) Minimum of 20% of the net developable area shall be open space.
  - c.) Setbacks- 40 feet from street ROW for houses, and 50 for front loading garages to prevent snout houses.
  - d.) Minimum lot size- 12,000 square feet.
  - e.) Minimum lot width- 100 at the building line.
  - f.) Minimum side yards- 12.5’.

## **II. Staff Comments**

These changes were drafted by DCRPC staff at the request of the Troy Township Zoning Commission and have been thoroughly reviewed and approved for initiation by the Zoning Commission.

## **III. Staff Recommendation**

Staff recommends **Approval** of the proposed zoning text amendments of Article IV and new Article XI of the Troy Township Zoning Resolution to the DCRPC, the Troy Township Zoning Commission, and the Troy Township Trustees.

## **Commission / Public Comments**

***Mr. Gladman made a motion to recommend approval of the text amendments to the Troy Twp. Zoning code. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**05-05 ZON T The Glimcher Co. – Orange Twp. – 32.526 acres from PC to MFPRD**

***\*\* This application was tabled at the Township and requested to be withdrawn from the RPC agenda by Orange Twp. This case was not presented. \*\****

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**06-05 ZON George & Donna Hogg – Berkshire Twp. – 6.936 acres from A-1 to FR-1**

**I. Request**

The applicant, George Hogg, is requesting a 6.936-acre rezoning from A-1 to FR-1 to accommodate splitting the parcel into two residential lots and transfer the remainder to a neighbor.

**II. Conditions**

**Location:** 1984 Joe Walker Road, Berkshire Township

**Present Zoning:** Agricultural (A-1)

**Proposed Zoning:** Farm Residential (FR-1)

**Present Use(s):** Single-family Residence, barn

**Proposed Use(s):** Single-family residential (2 lots)

**Existing Density:** 1 du / 5 acres

**Proposed Density:** 1 du / 1.95 acres

**School District:** Big Walnut Local School District

**Utilities Available:** Del-Co Water and private on-lot septic systems

**Critical Resources:** Some ravines with severe slopes

**Surrounding land uses:** North: Village of Galena with proposed development; South: unbuilt, acreage lots and farmland; East: Joe Walker Road and farmland; West: City of Columbus land, Big Walnut Creek and the Village of Galena.

**Soils:** AmE: Amanda Silt Loam, 18-25% slope

CeB: Centerburg Silt Loam, 2-6% slope

GdB: Gallman Silt Loam, Loamy Substratum, 2-6% slope

PwA: Silty Clay Loam, 0-1% slope

**III. Issues**

The applicant intends to split this property into three parcels. A 3.468-acre parcel which will retain the existing home and barn. A new building lot of 1.95 acres with 100' of frontage will be created to the north. A 1.518-acre parcel to the southwest with no frontage will be transferred to the applicant's neighbor to the south.

The landowner should consult with the Health Department to assure that there is adequate area for on-site sewage treatment. Some soil types on this property may not be suitable for on-site septic treatment.

The 2001 Berkshire Township Comprehensive Plan shows the southeast portion of the township as "Agricultural Heartland" with a density of 1 unit per 5 acres. However, land immediately to the east is zoned FR-1 and land to the north is within the Village of Galena and is proposed to be a subdivision served by sewer. The topography of the site and its proximity to the Big Walnut Creek suggests that it will not be farmed and that low-density residential development is appropriate. Two residential lots are a reasonable request.

**IV. Staff Recommendations**

Staff recommends **Approval** of this rezoning case from A-1 to FR-1 for George and Donna Hogg to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mrs. Warthman made a motion to recommend approval of the rezoning request by George and Donna Hogg. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Hopper). Motion carried.*

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**07-05 ZON      JoMar Partnership – Berkshire Twp. – 63.9 acres from A-1 to PCD**

**I. Request**

JoMar (Joseph and Mark Ciminello) Partnership submitted a zone change request from A-1 zoning to a Planned Commercial District (PCD) for 63.9 acres north of the Four Winds Drive and east of 3 B's and K Road in Berkshire Township.

**Present Use:** Agriculture

**Proposed Use:** 184 units of multi family

**Existing Density:** 1-unit per 5 acres in A-1 zone

**Proposed Density:** 5 units/net developable acre

**School District:** Olentangy

**Utilities Available-** Del Co Water, electric, Delaware County sewer (upon extension).

**II. Existing Conditions**

Adjacent Existing Land Uses-

West- Large lot single family and agricultural uses fronting on 3 B's and K Road

East – I-71

North- Large lot single family homes, agriculture.

South-Church, Waffle House, gas station, motels, and vacant land.

**III. Preliminary Development Plan Comments**

The documents submitted state “This application is being submitted for PCD approval without a development plan pursuant to Section 15.08 of the Berkshire Township Zoning code.”

This is incorrect because Section 15.08 no longer permits submission for a PCD zoning change without a development plan. The 1999 zoning code was amended in January 2004 to the new Planned Commercial Development, which requires a preliminary development plan at the time of rezoning. A revised development plan has been submitted on January 24, 2005 that meets most, but not all the design standards and the preliminary plan requirements.

**IV. Checklist for PCD review and approval (Section 15.05 Required Design Features)**

**A. The development plan shall incorporate the following standards:**

- 1.) Access- Requires frontage on and direct access to, one or more dedicated and improved public arterial roads. Provision for future connections to other public roads as required by the Township, the County Engineer and/or the Regional Planning Commission.

*DCRPC Staff Comment- Access to Four Winds Drive is OK. Continuation of Four Winds Drive through the site as a public street will be required. The Fire Department would like to see secondary access provided due to the density and the number of dwelling units. Access to the west to 3 B's and K Road goes through a proposed detention basin, needs to be adjusted, platted and constructed simultaneous with the extension of Four Winds Drive.*

- 2.) Minimum tract size- 10 acres, or as approved per plan.

*DCRPC Staff Comment-OK. Applicant has included land within this development that lies outside the 32.76-acre tract recommended for MF on the 2001 Berkshire comprehensive Plan. 25.2 acres to the east along I-71 and 6.42 acres in a 160' wide strip including mature tree lines to the north are included for open space and density calculations. Both of these areas will be used as open space, but they do count towards density. 20 of the 30 acres, however, give no density increase, as they are wetlands and ponds. DCRPC staff would concur with their inclusion, but not with the 5 units per net developable acre as a multiplier.*

- 3.) Maximum impervious surfaces- ground coverage by buildings and paved parking areas (total impervious surfaces): 50% of net developable area.

*DCRPC Staff Comment-No calculation is provided.*

- 4.) Permitted density- Maximum of four units per net developable acre for multi-family dwellings.

*DCRPC Staff Comment-Applicant has asked for a divergence to 5 units per net developable acre. Since the Berkshire Zoning Commission declined to allow densities greater than 4 units per acre for PCD, that should be the figure used. Using such calculation, it would be 63.9 acres minus .1 ac. for stream buffer, minus 14.5 acres in ponds, minus 6 acres in wetlands yields 43.3 acres, minus 15% for roads yields 36.3 net developable acres. At 4 units per NDA, the maximum dwelling units would be 147, not the 184 requested. If the multi family units were for elderly housing (as permitted in the PERC district) then the density could be 5 units per net developable acre.*

- 5.) Minimum commercial floor space requirements: as approved per development plan.

*DCRPC Staff Comment-Not applicable.*

- 6.) Open space shall be distributed throughout the development as part of a unified open space system, which shall serve to unify the development visually and functionally, and buffer surrounding land uses. Open spaces may be used for the natural disposal of storm water drainage. No features should be designed which are likely to cause erosion or flooding.

*DCRPC Staff Comment- open space is shown for the 25 acres next to I-71, for a 6.42 acres strip 160' wide along the northern tract line that would preserve a mature tree*

*area, and smaller open spaces between and behind the proposed housing locations.*

- 7.) Minimum Lot Width at the building line as approved per plan.

*DCRPC Staff Comment- since the dwellings are intended to be condominiums, there is no lot width, as they are all located on one lot. The final development plan will have to show specific building footprints.*

- 8.) Minimum Side yards- for non-residential structures shall equal one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than one hundred (100) feet from any Residential Zoning District or Planned Residential District, or as approved per plan.

*DCRPC Staff Comment-Looks O.K.*

- 9.) Minimum Rear yard- for non residential structures shall equal one-third (1/3) the sum of the height and width of the structure, but in no case shall be less than one hundred (100) feet from any Residential Zoning District or Planned Residential District, or as approved per plan.

*DCRPC Staff Comment-Looks O.K.*

- 10.) Perimeter Area- No building or parking shall be constructed within 100 feet of the perimeter property line of the overall tract, or as approved per plan.

*DCRPC Staff Comment-100 foot perimeter needs to be shown on the development plan. 100-foot setback could be reduced by the Zoning Commission per plan. Looks O.K. except for the dwellings east of Four Winds Drive, which appear to be only 10 feet from the south property line. It would be appropriate to establish at least a 40' setback along the south property line with the commercial district, and within that 40' to establish a significant mounding system with trees planted on top of the mound to establish a 7-foot high buffer.*

- 11.) Walkways and street trees- walkways to connect all dwelling areas with open space and to interconnect the open spaces.

*DCRPC Staff Comment: Sidewalks are shown separated from the paved street surface by approximately five feet (5') of landscaped or grassed green strip with street trees located every 40 feet on center. Looks O.K.*

- 12.) Buffering- Natural foliage shall be retained where practicable. Where adequate foliage does not exist, the Township may require establishment of such tree cover or other foliage as may be necessary to achieve the purpose of the open space and the buffer of adjacent uses.

*DCRPC Staff Comment: Tree lines are preserved to the north and east. Street trees are shown 40 feet on center both sides of the street. Looks O.K.*

- 13.) Preservation areas- Wetlands, steep (over 20%) slopes, forests, 100-year floodplains, ravines and noted wildlife habitat shall be preserved to the greatest extent possible.

*DCRPC Staff Comment: Wetlands are located within the open space area. Looks O.K.*

- 14.) Floodplain- No residential dwelling structures shall be constructed within the 100-year floodplain of any stream or river.

*DCRPC Staff Comment: Not applicable*

- 15.) Utilities- Centralized water supply and sanitary sewage disposal systems shall be provided, subject to Delaware County Sanitary Engineer, Board of Health and Ohio Environmental Protection Agency approval. Feasibility of water supply and wastewater disposal systems shall be indicated by the appropriate agencies at the time of the preliminary plan.

*DCRPC Staff Comment: Delco water is available and pressure should be OK but no letter from Delco to confirm this. Sanitary sewer is available (letter submitted) upon extension into the site, but capacity must be confirmed by the County Sanitary Engineer.*

- 16.) Building design- The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. All residential roofs must be a minimum of 6/12 pitch, or as approved by plan.

*DCRPC Staff Comment: No renderings are included. The architectural design statement needs to be expanded with renderings as part of the final development plan approval.*

- 17.) Building Height Limits- as approved per plan.

*DCRPC Staff Comment: Need to see proposed buildings, but should not be a problem.*

- 18.) Landscaping- All yards, front, side and rear, shall be landscaped, and all organized open spaces or non-residential use areas shall be landscaped and shall meet the landscaping requirements of this resolution, unless a variation from these standards is specifically approved as part of the final development plan. A landscape plan showing the caliper, height, numbers, name and placement of all material, prepared by a licensed landscape architect shall be approved as a part of the final development plan.

*DCRPC Staff Comment: Looks O.K for the (revised) preliminary plan, but a detailed landscaping plan must be submitted as part of the final development plan.*

- 19.) Parking- Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the development plan. In preparing and approving the parking plan, the parking provisions of this Resolution shall be incorporated, or a divergence requested.



*DCRPC Staff Comment: Front setbacks are proposed to be 22 feet from the edge of the private street. They are drawn on the plan as 22 feet from the inside edge (towards the building) of the sidewalk, and this is the standard that is needed to allow for adequate off street parking in front of the garages. No fully projecting snout garages should be allowed. Garages should be flush with the dwelling fronts or recessed.*

- 20.) Signs- Signs shall conform to provisions of this resolution, or request a divergence and be as approved per plan.

*DCRPC Staff Comment: No signs proposed at this time, this can be done as part of the final development plan.*

- 21.) Exterior Lighting- All exterior lighting shall be as specifically approved as part of the final development plan.

*DCRPC Staff Comment: Not applicable to the preliminary plan.*

- 22.) Supplemental Conditions and safeguards- The Zoning Commission and/or Board of Trustees may impose additional conditions relating to the development with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of open space areas; and other development characteristics.

*DCRPC Staff Comment: Private streets are proposed to be 26 feet wide, which would allow for on street parking and is appropriate for guests. Streets should be curb and gutter. It is important that zoning require private street cross sections either meet the County Engineer's design standards for public streets or have a 20-year design life. Because these are condominiums, there is no plat review of street pavement, and the developer can build any quality street. The streets should be good for 20 years.*

- 23.) Divergences (see 15.09 #6 below)

**V. Checklist for approval (continued) Section 15.06 Required Findings for PCD Approval:**

The Zoning Commission and Trustees may approve an application requesting that property be included in the PCD zoning district, provided they find that the proposed use complies with all of the following requirements:

- 1.) That the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution.

*DCRPC Staff Comment: Generally yes, but not consistent in all respects.*

- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

*DCRPC Staff Comment: The applicant is asking that the 25-acre "pond" parcel next to I-71 and a 6.42-acre strip along the north property line be used for open space and density calculations.*

*This is not shown for Planned Commercial on the Berkshire Comprehensive Plan, but staff would agree it could be. The 32.76-acre “core” parcel complies with the comprehensive plan, which recommends multifamily at up to 5 units per net developable acre. The township was hoping for elderly housing in a PERC district on this site. That is why the 5 units per (net) acre density is on the comprehensive plan. If used for standard multi family condos in a PCD, the 4 dwelling units per net developable acre (NDA) is the permitted density. DCRPC staff would agree to use the approximately 31 additional acres toward open space and density. 20 of the 31 acres are ponds and wetlands, so there is not a significant addition to net developable acreage or density.*

- 3.) That the proposed development promotes the health, safety, and general public welfare of the township and the immediate vicinity.

*DCRPC Staff Comment:* *Yes, if the development plan is completed.*

- 4.) That the proposed plan meets all of the design features required in this Resolution.

*DCRPC Staff Comment:* *Some of the features still need to be added to the plan as noted above.*

- 5.) That the proposed development is in keeping with the existing land use character and physical development potential of the area.

*DCRPC Staff Comment:* *Generally yes.*

- 6.) That the proposed development will be compatible in appearance with surrounding land uses.

*DCRPC Staff Comment:* *Generally yes, but need to see renderings as part of the final development plan.*

- 7.) That the development promotes greater efficiency in providing public utility services and encouraging innovation in the planning and building of all types of development.

*DCRPC Staff Comment:* *It does, but the development plan needs to provide all the design features and show 4 units per net developable acre.*

**VI. Checklist for Approval (continued) Section 15.07 Process for Amendment:** Applications for amendment to rezone property to the PCD Zoning District may be approved according to one of the following procedures:

- 1.) The applicant, being the owner or lessee of the subject real estate, may apply for a zoning map amendment to designate the land as a PCD. A preliminary development plan must be submitted with the application. If the application for the zoning amendment is approved, then the zoning map is amended to PCD. (This is a legislative act and is subject to referendum). A final development plan shall be subsequently submitted to the Zoning Commission for review and approval (this is an administrative act and not subject to referendum.) This procedure may only be used if the real estate proposed to be rezoned consists of at least 10 acres.

*DCRPC Staff comment-* *This is the option chosen by the applicant; see the revised development*

dated 1-24-05.

**VII. Checklist for approval (continued) Section 15.09 Development Plans**

A. Preliminary Development Application – The preliminary development plan shall show the intended layout of the site.

- 1.) The proposed size and location of the PCD district, at a scale of at least 1" = 200', showing topographic contours of at least 5' intervals, wooded areas, wetlands, adjacent (within 200') structures, 100 year floodplains.

DCRPC Staff Comment: O.K.

- 2.) Suggested architectural designs for all structures and signs.

DCRPC Staff Comment: Not submitted, but general architectural criteria are given.

- 3.) The intended general provisions for water, fire hydrants, sanitary sewer and surface drainage. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.

DCRPC Staff Comment: Drainage needs more detail. Surface flow appears to be generally east to west, but the need for retention/detention should be calculated. There are probably farm tile that must be disturbed and rerouted. Check with the Delaware Soil and Water District before preliminary plan approval.

- 4.) The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage and public utilities.

DCRPC Staff Comment: O.K.

- 5.) A design of the open space and proposed description of its use and maintenance.

DCRPC Staff Comment: O.K.

- 6.) Specific statements of divergence, if any, from the development standards in this Article or the general standards of this resolution such as setbacks, parking, landscaping, lighting, signage and so forth.

DCRPC Staff Comment: Applicant is requesting the following divergences.

a.) 5 units per net developable acre. 4 units per NDA max are allowed in PCD. Applicant does not want to do elderly housing, which would be 5 units per NDA allowed. DCRPC staff recommends denial of the divergence.

b.) Requesting 8 feet of separation between buildings without masonry walls where 25' is required. Fire Department called DCRPC staff and is opposed. DCRPC staff recommends denial.

c.) *Requesting 70 foot setback from the centerline of Four Winds Drive, rather than 130' as required for a class B road. DCRPC staff recommends approval based on the preliminary plan, which places the nearest dwelling 125' from centerline of Four Winds Drive.*

7.) Proposed location of all structures and uses.

DCRPC Staff Comment: *No building pads shown, general envelope of potential home shown, needs more detail for final development plan.*

8.) Preliminary Traffic Impact Analysis based upon new trip generation.

DCRPC Staff Comment: *OK*

9.) All required design features.

DCRPC Staff Comment: *Not all shown.*

10.) Emergency service provisions (letter from Fire and Police departments).

DCRPC Staff Comment: *Fire Department letter received.*

11.) Phasing plans, if any.

DCRPC Staff Comment: *OK.*

12.) Calculation of net developable acreage and proposed project density.

DCRPC Staff Comment: *O.K., but maximum number of dwelling units should be 147.*

13.) Proposed permitted and accessory uses.

DCRPC Staff Comment: *OK.*

### **VIII. DCRPC Staff Recommendation**

Staff recommends to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees that the rezoning from A-1 to PCD for 63.9 acres for JoMar partnership in Berkshire Township be **Conditionally Approved**, *subject to the following conditions:*

- 1. Recalculate the density using the 4 units per net developable acre, a maximum of 147 dwelling units.*
- 2. Provide (plat and construct) a secondary access to 3 B's and K Road simultaneous with the extension of Four Winds Drive Road through the site.*
- 3. Affirm by letter from the County Sanitary Engineer that there is sewer capacity for 147 dwelling units.*
- 4. Adhere to the 22' setback from the inside edge of the sidewalk along the private streets. No fully projecting front-load garages. Garages should be flush with the front of the dwelling, or recessed.*

5. *Establish a street cross section pavement and road base standard as either the County Engineer public road standard or a 20-year design life for the private streets.*
6. *Make a 40-foot setback along the southern property line abutting the commercial lots to the south, and buffer these lots with a 7' high combination mound and tree plantings.*
7. *Submit a landscape plan as part of the final development plan.*
8. *Submit architectural renderings with the final development plan.*
9. *Deny divergences 1 and 2 for density and side yard separation, but grant the divergence #3 for 70' setback from centerline of Four Winds Drive subject to the design on the preliminary development plan.*
10. *Submit impervious surfaces calculations and adhere to the standard.*
11. *Have the drainage plan checked by the Delaware Soil and Water District prior to preliminary plan approval.*

**Commission / Public Comments**

Ms. Jill Tangeman, attorney with Plank & Brahm was present to represent the applicant. She stated that the applicant is a land developer not the final builder so some of the issues are relative to what ultimate building type it is. The development plan that is presented in terms of street layout and design are what is being committed to. The conditions are acceptable but there are some concerns that depending on the product type, it's possible that the 5 units/acre would be appropriate. That discussion will be with the Township.

Mr. Pike asked if the applicant would be building Four Winds Drive from the southern property line down to the connection and has the rights to do so. Mrs. Tangeman said yes.

Mr. LaValle asked why the applicant is seeking the Planned Commercial Development zoning classification. Ms. Tangeman stated that it was the only district that permits multi-family at 4 units per acre.

***Mrs. Warthman made a motion to recommend conditional approval of the zoning request by JoMar Partnership, subject to staff comments. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Mr. O'Brien and Mr. Snajd). Motion carried.***

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**08-05 ZON      Heritage Christian Church – Genoa Twp. – 14.7 acres from RR to CF**

**Location:** 7413 Maxtown Road (north side), 1500' east of Tussic Street Rd., west of Westerville Reserve.

**I.            Conditions**

**Present Zoning:** Rural Residential

**Proposed Zoning:** Planned Community Facilities District

**Present Use:** Existing Church Building and 2 Residential Structures (two previously converted for church office/pastoral living use); preserved wetland.

**Proposed Uses:** Church/Public Assemblies/Indoor Recreational Facilities

**Existing Density:** 1 unit per 2 acres

**School District:** Westerville

**Utilities Available-** Del Co Water

**Soils:** BeB Bennington Silt Loam, 2-4% slope

CaB Cardington Silt Loam, 2-6% slope

PwA Pewamo Silty Clay Loam, 0-1% slope

**Surrounding Land Uses:** East – Large rural lots on Maxtown Road; East - single-family cluster subdivision Westerville Reserve; South – Mariner’s Cove in Westerville; West – quarter-acre lots in SR subdivision Whitetail Meadows; North – PD-1 subdivision Park Bend Section 1.

## **II. General Background**

Begun in 1989, Heritage Christian Church is a growing congregation of over 1,500 people with four weekend services. The church is currently located on two deep lots on Maxtown Road. Each lot is approximately 200’x1060’. Last year an additional 5-acre adjacent parcel with an existing residential structure and detached garage was purchased giving the church a total area of 14.7 acres. These three lots have been single-family lots with lawns toward the street and woods to the north. A large wetland of approximately 1.7 acres is located immediately north of the existing building and on a portion of the rear of the new 5-acre parcel.

The plan includes an addition to the existing church building, bringing the entire church structure to 63,151 s.f. on the property. Of the three single-family homes on Maxtown, the middle one has been demolished and the plan includes demolishing the western home as well. The maximum allowable first floor square footage lot coverage permitted on the current acreage is 107,625 square feet in the PCF zoning district per code, which is calculated by combining all structures, including all proposed and existing current structures that will be remaining. The church proposes a total of 63,151 square feet of first floor building footage coverage with Phase III, according to their site plan and this will be compliant using the expanded R/W figure, a requirement of the township.

## **III. Issues**

The Religious Land Use and Institutionalized Persons Act of 2000 states that government entities cannot impose a substantial burden on religious exercise. Genoa Township feels it is reasonable to ask for a zoning change application and review basic development standards and traffic impacts.

1. The General Requirements of the zoning regulations call for a development plan. The applicant has provided a plan showing the proposed phase (Phase 3) and has indicated a future addition (Phase 4) as well.
2. The development is very detailed about requirements including parking coverage, lighting and signage. The applicant plans to comply with these standards except where noted in the divergences under **Item IV** below.
3. The applicant has submitted a traffic study, which states that an eastbound left turn lane is required, but no westbound right turn (drop) lane is warranted. The church instead proposes to use a police officer to control through traffic during peak times. The church plans a future expansion (Phase 4) that may

include the purchase of additional land to the west, allowing additional spacing between the entry drives. At that time, the church will re-evaluate the traffic situation and, if warranted, build a left turn lane. The County Engineer's office concurred with the original findings of the study presented in October. However, revised results were prepared and presented to the Township, which now shows turn lanes are warranted. The church should continue to work with the township and County Engineer to assure that appropriate improvements to Maxtown Road are made.

4. The application states that storm water calculations and plans for channeling and retention shall be submitted at the time of site plan review. However, due to significant amount of pavement, the large amount of poorly drained Pewamo soil and the existing 1.7-acre wetland to the north of the current building, preliminary plans for storm water management should be submitted as part of the development plan review for zoning.

5. An environmental assessment and delineation of the wetlands was performed by Geotechnical Consultants Inc. in August, 2001. The report noted that approximately .28 acres of the original wetland had already been filled and that a maximum of ½ acre ultimately could be altered. This means future filling should be limited to .22 acre to quality for the current Nationwide Permitting Program. Such permitting would require mitigation to offset wetland losses. On-site mitigation is possible. No plan to mitigate impacts appears to be included in the application. It is the township's desire to prohibit additional wetland destruction in this area.

## 6. Divergences

- a) The church is requesting a divergence to allow the eastern-most existing home to remain as a residential use under the CFD zoning. ***Staff comment:*** *This is a reasonable request, if the home is used for a parsonage or custodial residence and the home takes its driveway access from the internal paved areas and the existing driveway cut is removed. The zoning review should also include a survey of the existing leach fields and provisions for connection to sanitary sewer. Proposed parking areas should not infringe upon the leaching areas unless there is a proposal to attach to sewer. The township may require that this residential site be removed from the zoning application, with a separate building lot created with the no-plat lot split procedure. The new lot and structure will need to meet the setbacks of the zoning code.*
- b) The church is proposing headlight screening of 2.5 feet where 5'6" is required. ***Staff comment:*** *This is a reasonable request, since 2.5 feet should shield headlights and the church intends to preserve any existing vegetation. No screening is shown to the north where a loading area is shown.*
- c) New light poles will meet the 25-foot height standard, but existing non-conforming light poles of 30 feet will be retained. ***Staff comment:*** *Although the 5' difference is not significant, the township has informed us that the applicant previously agreed to dim the bulbs on the existing poles to mitigate the non-compliance. The church should continue to work with the township on assuring that lighting does not impact surrounding development.*
- d) Height: A part of the building will have a flat roof that will be 35' in height. The code states "a roof with less than a 6/12 roof pitch shall not exceed thirty feet. ***Staff comment:*** *This is a*

*reasonable request, although this part of the building could have additional architectural design elements to reduce the appearance of a flat, industrial-looking structure.*

- e) Parking and drive setbacks are planned to meet the requirements of the code (75 feet from the current right-of-way). However, the church is requesting a divergence for parking setback from the future right-of-way in preparation for a road-widening project that would take an additional 25' of right-of-way. ***Staff comment:*** *An additional 25' of road right-of-way would cause the proposed parking setback to be non-conforming. However, the township has informed the church that it needs to account for the additional right-of-way, both for potential road widening and also for current or future turn lane needs.*

*Staff has a concern with the fact that the church sign is proposed to be 35' from the current right-of-way or 10' from an expanded right-of-way. The applicant and township should ensure that the placement of the sign and accompanying landscape mound does not impair the sight-triangle for exiting vehicles.*

#### **IV. Conformance with the Comprehensive Plan**

The 1999 Genoa Township Comprehensive Plan defines general planning areas, recommending densities for each area, without siting specific locations of community facilities. The overall development goals state that any non-residential use be designed to reflect the rural character of the community. The structure will use natural materials and plans to mitigate lighting and headlight impact on neighboring properties. Because Maxtown is becoming a heavily traveled arterial, this use is appropriate.

#### **V. DCRPC Staff Recommendation**

DCRPC staff recommends **Conditional Approval** to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees that the request for Planned Community Facilities zoning for 14.7 acres on Maxtown Road in Genoa Township based on the following staff comments:

- 1. That divergence #IV.1 be granted if the single family house is for church-related use, takes its access from within the church site, and protects the current leach area and/or provides for sewer connection;*
- 2. That divergences #2-5 be granted if the township is satisfied with the screening plans;*
- 3. That a storm water management plan be submitted showing proposed detention/retention areas;*
- 4. Environmental assessment and wetlands mitigation be included in the application and approved by the township.*

#### **Commission / Public Comments**

Mr. Jack Reynolds, attorney with Smith & Hale was present to represent the applicant. He stated the wetlands study was submitted but was not sure if it took in the rear part of the church. It will be studied if need be. They would provide the storm water drainage that the Township needs. The house would be a part of the church operation either through a parsonage or probably through a custodial employee. Access to the house will be further studied with regards to the leach bed and well.

Mr. Laurien asked about the left turn storage lane east bound. Mr. Reynolds said that he understands that the County Engineer has indicated that the majority of the traffic is on Sunday morning and at this point in time, the County is willing to allow the church to utilize a traffic officer to control that traffic on Sunday mornings. He also stated there is not enough traffic during the rest of the week to create the need for those turn lanes at this time. There may be in the future if they continue to do other activities. Mr.



Pike stated he talked with Mrs. Warthman earlier this week. She has a revised traffic study that they do not have. Mrs. Warthman stated that she has a second revised traffic study and request for a daycare at the church. Mr. Pike stated that until he sees the revised study, he is not willing to commit to anything. Mr. Reynolds stated that the church wanted the option of the daycare if they wanted to do it. They asked the traffic engineer to revise the study as if a daycare was being included. Mrs. Warthman questioned the increased speed. Mr. Reynolds stated the study included a speed increase on Maxtown Road at the request of the County Engineer.

Mrs. Warthman stated that the Fire Chief is concerned with the 5' divergence of height on the flat roof. They do not have a ladder capacity. Mr. Reynolds stated that they would work with Fire Chief.

***Mr. Gladman made a motion to recommend approval of the rezoning request by Heritage Christian Church, subject to staff comments and the comments made at this meeting. Mr. Snajd seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Warthman). Motion carried.***

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**09-05 ZON      Grace Brethren Church of Powell – Liberty Twp. – 18.1 acres from FR-1 to PR**

**I. Request**

The applicant, Grace Brethren Church of Powell Ohio, is requesting an 18.1-acre rezoning from Farm Residential (FR-1) to Planned Residential (PR) where churches and religious uses are a permitted use. The property currently contains a 43,160 square foot church/school facility. With approximately 21 classrooms and limited sanctuary space for a growing congregation, the Grace Brethren Church needs to expand at their current location. Expansions will include a 2,000 seat sanctuary, 31 new classrooms and recreational facilities. Additional parking, stormwater detention, and landscaping is being proposed to facilitate the expansion.

**II. Conditions**

**Location:** Westside of Liberty Rd, ½ mile south of Home Rd (7600 Liberty Rd), Liberty Twp

**Present Zoning:** Farm Residential (FR-1)

**Proposed Zoning:** Planned Residential (PR)

**Present Use(s):** Church and school

**Proposed Use(s):** Expanded church and school

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and County Sewer

**Critical Resources:** Swale along northwestern corner, containing portions of the 100-year flood

**Surrounding land uses:** Liberty Township Community Park to the north, single-family residential homes on the east side of Liberty Rd, Liberty Township YMCA to the south and vacant ground to the west.

**Soils:** BoA: Blount Silt Loam (0 to 2% slopes)

BoB: Blount Silt Loam (2 to 4% slopes)

GwB: Glynwood Silt Loam (2 to 6% slopes)

GwC2: Glynwood Silt Loam (6 to 12% slopes), eroded

**III. Issues**

1. Divergences: The applicant is requesting three divergences from the Liberty Township Zoning Code.

- a. Building Height: Section 10.07(b)(4): “No building in this district shall exceed forty (40) feet in height... All attached residential structures including, but not limited to, chimneys and church spires shall not top at a height that is eight (8) feet greater than either the height of the building or other structure to which it is attached.” The application indicates a proposed building height of fifty (50) feet to the ridgeline. The variance is being requested due to the height of the sanctuary and balcony. The steeple will then extend an additional 8 feet in height.

**Staff Finding:** *This request is reasonable. The building has excessive setback distances that will allow it to meet the character of the area. The Liberty Township Fire Department is located directly across the street and is equipped with a 100-foot aerial truck so safety is not compromised.*

- b. Parking Spaces: Section 21.02(e): The code requires 4 parking spaces for each classroom and 1 for each 3 seats in the church assembly. This formula yields a requirement for 208 parking spaces for the school and 667 parking spaces for the sanctuary. The applicant proposes to pave 717 parking spaces and share parking between the two uses.

**Staff Finding:** *This request is reasonable because both uses are likely to be utilized fully during separate periods of time.*

3. 100-year Floodplain: A portion of the 100-year floodplain appears to be located in the northwest corner of this property. Section 21.09 indicates that “no land lying within the floodplain shall be filled or excavated, except in accordance with all applicable regulations.”

**Staff Finding:** *Although the development plan does not indicate development within the floodplain, it should be noted on the plan and have strict language to indicate that it will not be filled, or excavated in violation of any applicable regulation. According to DALIS topography layers, the floodplain elevation is approximately 903 feet and it does not appear that any land below 903 feet will be touched.*

4. Landscaping: The landscape plan indicates maintaining perimeter vegetation as a buffer and additional vegetation in the parking area, around the existing building and proposed expansion.

**Staff Finding:** *This appears to be sufficient.*

**IV. Required findings for Approval of a Planned Residential Development**

The Zoning Commission and Trustees may approve a Planned Residential development zoning provided they find that the proposed use complies with all the following requirements:

1. That the proposed development is consistent in all aspects with the intent and general standards of this zoning resolution.

**Staff Finding:** Yes. The federal Religious Land Use and Institutionalized Persons Act of 2000 states that religious land uses are exempt from local zoning, but must provide for basic health and safety regulations. Government entities cannot impose a substantial burden on religious land uses, therefore there is no imminent need for the church to rezone; however, in the interest of good faith compliance, the church has indicated that they would like to rezone to a planned development district. This application should not be unreasonably denied given the circumstances, and the divergences should also be granted.

2. That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

**Staff Finding:** Yes. The 1995 Liberty Township Comprehensive Plan recommends the site for residential development at 1.25 dwelling units per acre.

3. That the proposed development advances the general welfare of the township and the immediate vicinity.

**Staff Finding:** Yes. The Grace Brethren Church will continue to benefit the local community.

#### **V. Staff Recommendations**

Staff recommends **Approval** of this rezoning case from FR-1 to PR for Grace Brethren Church of Powell Ohio to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees.

#### **Commission / Public Comments**

Mr. Jeff Brown, attorney for Grace Brethren Church of Powell was present.

Chairwoman Foust asked who would be making the road improvements. Mr. Brown stated that the County Engineer is proposing a project to widen Liberty Rd. to 3 lanes. Mr. Pike stated that the widening would be a part of a realignment project that the County has planned.

**Mr. Shoaf made a motion to recommend approval of the rezoning request by Grace Brethren Church of Powell. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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#### **10-05 ZON      Scioto Twp. Zoning Commission – Comprehensive Plan Review**

**Applicant:** Scioto Township Zoning Commission

#### **I. Introduction**

The Township Zoning Commission initiated a comprehensive planning process in October of 2003. A group of about 15 citizens met at the Township hall and participated in a nominal group process that identified the perceived land development strengths, weaknesses, opportunities and threats within the Township. The citizens noted such positives as open spaces, community atmosphere, proximity to community services, water and recreation, communication between residents, low crime rates and local family ties. Perceived negatives included loss of farmland, lack of road upgrades, distance from

commercial development, threat of tract housing, poor cooperation between the village, township, and county, and a lack of commercial and industrial development.

A steering committee was formed and continued to work through 2004 on the plan, resulting in a land use map and accompanying text that sets the tone for future development within the township. This is a summary of the comprehensive plan findings and recommendations.

## **II. Highlights of Scioto Township's Land Use Facts and Issues**

1. 270 new home building permits were issued from 1990-2000.
2. 58 new home permits were issued from 2001 to mid-2004.
3. Population is projected to continue to grow about 2% per year to about 2,566 in 2010 and 2,741 in 2015.
4. Agricultural acreage is still 68% of the township, and the number one land use by acreage. Loss of farmland is a concern of new residents.
5. All township collector roads may need to be widened, but some narrow roads are considered part of the scenic character.
6. Scioto Township has significant natural beauty in its Scioto River frontage and ravines, which need protection.
7. 91% of all housing is new or in very good condition.
8. There were 860 housing units within Scioto Township in January 2004, and 98% are single-family homes.
9. There is adequate potable water supplied in some areas by Del Co Water Company.
10. The majority of Scioto Township may not receive sanitary sewer service in the scope of this plan 2004-2014.
11. Buckeye Valley and North Union School Districts serve the township.
12. Fire protection is provided by the Ostrander-Scioto Volunteer Fire Department, staffed by on-call paid volunteers.
13. Scioto Township generated 474 sheriff's complaints out of 18,682 within the entire county in 2003 (2.5% of the complaints).
14. The Township operates its own park with both recreational fields and walking paths on U.S. 36. Preservation Parks maintains 138-acre Blues Creek Preserve on Fontanelle Road. The City of Columbus maintains lands on either side of portions of the Scioto River and land around the old reservoir used by the Columbus Ski Club. With growth, there may be a need for more active recreation.

## **III. Objectives of the Comprehensive Plan (summary)**

### **Natural Resources**

1. Obtain the linkage of subdivisions by streets, bike paths, or greenway trails so neighborhoods are connected and pedestrian oriented.
2. Retain wooded greenways along ravines, waterways and project perimeters.
3. Amend the zoning resolution to identify and protect floodplains, jurisdictional wetlands, and steep slopes.
4. Adopt regulations that permit Conservation Subdivisions in the FR-1 District as a Permitted use.
5. Set landscape and architectural design standards for subdivisions. Stipulate usable, centralized green space.
6. Create a rural landscape entrance detail for subdivisions that front on township roads.

7. Amend the zoning text to require the appropriate landscaping buffer detail between residential and non-residential land uses. Retain natural vegetation and use existing topography as buffers.
8. Retain natural ravines and their vegetation as filter strips for surface water.
9. Establish a 120-foot structural setback from the major streams of the township to preserve surface water quality. Such setback should include subsurface wastewater disposal systems.

### **Agriculture**

1. Preserve 1.95-acre lots as the minimum requirement in areas not served by centralized sanitary sewer.
2. Conservation Subdivisions as a Permitted use in the FR-1 zoning district.
3. Use the Land Evaluation Site Assessment (LESA) system to evaluate lands worthy of Purchase of Agricultural Conservation Easements (PACE).
4. Apply for state or federal funding for purchase of agricultural easements.

### **Residential Development**

1. Retain single family densities of no more than one unit per 1.95 acres where there is no centralized sanitary sewer provided.
2. Use the width of roads, the capacity of water and sewer systems, and the soil characteristics to limit development to the carrying capacity of the infrastructure, using the densities and land uses on the comprehensive plan recommended land use map as a guide.
3. Conservation Subdivisions as a Permitted use in the FR-1 District. Separate non-developable lands (floodplains, water, slopes greater than 25%, jurisdictional wetlands) from density calculations.
4. Consider a Traditional Neighborhood Development (country village) near Ostrander , Warrensburg and White Sulphur if public sewer can be provided.

### **Commercial and Industrial Development**

1. Create development guidelines for planned commercial development.
2. Use parallel frontage or backage roads to U.S. 36 and S.R. 37 to service commercial uses and to control access points onto arterial roads.
3. Provide incentives for quarry areas to eventually transition to residential uses.

### **Recreation**

1. Create a series of neighborhood parks of 15 acres with active recreation with ½ mile spacing in Conservation Subdivisions.

### **Township Services**

1. Acquire new sites for township facilities, including fire, police, road maintenance, etc., as needed.
2. Determine the services the township can provide as a suburban community with a sense of rural character.
3. Work with elected officials to increase services as needed, but not in a way to compete with urban development, to retain a rural community.
4. Use the Comprehensive plan as the guideline in zoning.

### **Planning and Zoning**

1. Revise the zoning text and map in accordance with the comprehensive plan.
2. Develop policies for service provision that relate to the comprehensive plan.
3. Provide for 5-year updates and revisions to the plan.

4. Add a Conservation Subdivision alternative to allow for different kinds of open space for land that is not suited to the continuation of agriculture.

### **Transportation**

1. Cooperate with ODOT on access management on U.S. 36, S.R. 37 and S.R. 257. Utilize parallel access roads and connections between planned commercial developments along major arterial roads.
2. Adopt the appropriate ODOT Access Management recommendations; work with ODOT to prevent the deterioration of U.S. 36, S.R. 37 and S.R. 257.
3. Encourage construction of new roads on the Comprehensive Plan as part of new developments.

## **IV. Highlights of the Map and Recommendations**

### **Sub Area I – Agricultural Heartland**

Northwestern portion of the township. Northern and western boundary is the township line. Eastern boundary is the Scioto River. Southern boundary is Ostrander Road, approximately 9,394 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Protect the 100-year floodplain by prohibiting new residential structures within it through zoning.
3. Consider permitting Conservation Subdivisions at the underlying FR-1 density (1/1.95 acres). A minimum lot size should be specified.
4. Support improvements made by ODOT along S.R. 257, access management.

### **Sub Area II – Central Plains District**

Boundaries: North: Ostrander Road; East: approx. 4500 feet west of the Scioto River; South: township line and Penn Road; West: approx. 2200 feet west of Smart Road and Newhouse Road, approximately 2,958 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Consider permitting Conservation Subdivisions at the underlying FR-1 density (1/1.95 acres).
3. Support the conversion of the former rail right-of-way into a bike path, if pursued by a private or public organization.
4. Approximately 34 acres of Community Business, Planned Commercial and Limited Industrial uses should be allowed along the U.S. 36 corridor, between Smart and Newhouse Roads and Russell Road. These could be restaurants, offices, highway service such as gas stations, or even regional commercial uses such as major grocery stores and retailers. Any development plan near the intersection of Smart and Newhouse Roads should include provisions for and/or the construction of a realignment of the offset intersection. Appropriate utilities would have to be provided.
5. Commercial zoning should be limited to 600' of depth from the road and developers should provide a rear parallel access road (or easement) approximately 300' from U.S. 36. Left turn movements across traffic should be at controlled locations at least ¼ mile spaced (½ mile preferred), as approved by ODOT. Most access points should be right-in and right-out only.
6. Only low level, downward-cast lighting should be allowed to prevent glare on adjacent roadways and properties.
7. To avoid sign clutter, ground signs should be the only sign type permitted along U.S. 36. Billboard and pole signs should be prohibited.

8. Landscaping should be required in parking lots to avoid the “sea of asphalt” to reduce runoff. Use landscaping to divide parking areas by using islands at reasonable spacing, at ends of rows, and along U.S. 36 frontage. Landscape standards should be adopted.
9. Support any improvements made by ODOT along U.S. 36, including limiting access.

### **Sub Area III – Blues Creek**

**Boundaries:** North: a line about 1600’ north of Fontanelle Road; South: U.S. 36; East: about 3,100’ east of Ostrander Road; West: Delaware County line, approximately 1,819 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Protect the 100-year floodplain by prohibiting new residential structures within it through zoning.
3. Permit Conservation Subdivisions at a density of .7 units per net developable acre in the FR-1 district.
4. Approximately 11 acres at the northeast corner of the intersection of U.S. 36 and Ostrander Road could be developed as Community Business or Planned Commercial. Commercial parcels should have limited access to U.S. 36 and be linked with a parallel rear access from Ostrander Road built by developers.
5. Only low level, downward-cast lighting should be allowed to prevent glare on adjacent roadways and properties.
6. Ground signs should be the only sign type permitted along U.S. 36.
7. Landscaping should be required in parking lots to avoid the “sea of asphalt” to reduce runoff.
8. Support improvements made by ODOT along U.S. 36.

### **Sub Area IV – Mill Creek Valley**

**Boundaries:** North: U.S. 36 and a line about 1,000 feet south of the Ostrander Village limits; West and South: Union County line; East: approx. 1300’ east of Newhouse Road, approximately 2,819 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Protect the 100-year floodplain by prohibiting new residential structures within it through zoning.
3. Permit Conservation Subdivisions at a density of .7 units per net developable acre in the FR-1 district. A minimum lot size should be specified.
4. Support the conversion of the former rail right-of-way into a bike path.
5. Support any improvements made by ODOT along U.S. 36.

### **Sub Area V – Scioto Valley**

**Boundaries:** Sub Area V is an area that lies along the Scioto River. The northern boundary is 3000’ north; the western border is 1050’ to the west; 2,730 to the south and 2150 to the east, approximately 3,341 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Protect the 100-year floodplain by prohibiting new residential structures within it through zoning.
3. Permit Conservation Subdivisions at a density of .7 units per net developable acre in the FR-1 district.
4. Maintain the approximately 18-acre commercial area west of the township park as commercial use. As businesses seek to enlarge, encourage conformance with the current Neighborhood Commercial District standards.

5. Approximately 24 acres at the northwest corner of U.S. 36 and Section Line Road are recommended for planned commercial or office uses if sewage disposal can be provided. Commercial or office uses that have limited water needs could be served by on site septic systems or they could be served by a privately constructed, but County dedicated and maintained sewage treatment plant.
6. Support any improvements made by ODOT along U.S. 36.
7. The frontage lots along Section Line Road are recommended for eventual conversion to professional offices. For new construction, access management will be a key. For existing residences that convert to offices, driveways should be joined to reduce curb cuts whenever possible. Access management controls to prevent congestion on U.S. 36 and Section Line Road.
8. Commercial parcels should have limited access to U.S. 36 and be linked with parallel rear access roads built in increments by developers. Left turn movements across traffic should be at controlled locations at least ¼ mile spaced (1/2 mile preferred), as approved by ODOT. Most access points should be right-in and right-out only.
9. Only low level, downward-cast lighting should be allowed.
10. Ground signs should be the only sign type permitted along U.S. 36. Billboard and pole signs should be prohibited.
11. Landscaping should be required in parking lots. Use landscaping to divide parking areas by using islands at reasonable spacing, at ends of rows, and along U.S. 36 frontage.
12. Support ODOT's plan to upgrade the intersection of U.S. 36 and Section Line Road.

#### **Sub Area VI – Natural Resource Area**

**Boundaries:** Sub Area VI is broken into two areas that border the Scioto Valley area. Sub Area VI.A is the quarry area on the north side of Ostrander Road, 900' east of Degood Road Sub Area VI.B is the quarry area south of U.S. 36, west of North Section Line Road, and east of Klondike Road, approximately 302 acres in part A, 1,048 acres in part B.

1. Protect the 100-year floodplain by prohibiting new residential structures within it through zoning.
2. Permit Conservation Subdivisions at a density of .7 units per net developable acre in the FR-1 district.
3. Support the conversion of the former rail right-of-way into a bikepath.
4. Support any improvements made by ODOT along U.S. 36.
5. Recommend residential re-use of the quarry after the mining operation is ended. The quarry sites are expected to mine for years to come, but upon their depletion they represent an opportunity for residential reuse. As an incentive for redevelopment, recommend a density of 1.25 units per acre if served by sanitary sewer. There would be a total of approximately 437 (gross) acres, which could result in approximately 546 housing units. Small-scale Neighborhood Commercial uses would also be appropriate within the residential portion of the site, subject to strict architectural controls to make them blend with residential uses such as brick, wood or stone exterior, A-roof, ground signs and dense landscaping. Care should be taken to avoid residential uses within lands affected by the airport flight paths.
6. Consider a commercial node at the corner of Section Line Road and U.S. 36. Approximately 15 acres on the southwestern corner of the intersection could be developed as Community Business, Planned Commercial and Limited Industrial uses that pay significant property taxes and generate sales taxes. Such commercial uses should provide connections to residential use on this land.
7. The smaller quarry operated by National Lime and Stone offers similar opportunities for redevelopment. As an incentive for redevelopment, the plan recommends 1.25 units per acre if



served by sanitary sewer. Sewer could be extended to existing homes in Warrensburg, which was identified in the 2004 Delaware County Sewer Master Plan Preliminary Report as an area of existing need.

**Sub Area VII – Greater Ostrander**

**Boundaries:** Sub Area VII is an area that surrounds the village of Ostrander. The northern boundary is U.S. 36; the western border is Stover Road; the southern border is Calhoun Road; the eastern border is approx. 3200’ east of the village limits, approximately 907 acres

1. Retain current minimum lot size of 1.95 acres in Farm Residential district.
2. Permit Conservation Subdivisions at approximately .7 units per net developable acre if served by on-site sewage disposal system. If sewer is provided in conservation subdivisions, an incentive density increase is recommended up to 1.25 units per net developable acre.
3. Support the conversion of the former rail right-of-way into a bike path.
4. Approximately 7-acres on the southeastern corner of U.S. 36 and Ostrander Road is recommended for development as Community Business or Planned Commercial.
5. Parcels should have limited access to U.S. 36 and be linked with a parallel rear access road from Ostrander Road built in increments by developers.
6. Only low level, downward-cast lighting should be allowed.
7. Ground signs should be the only sign type permitted.

**V. DCRPC Staff Recommendation**

Staff recommends **Approval** of the Scioto Township Comprehensive Plan to the DCRPC, the Scioto Township Zoning Commission and the Scioto Township Trustees.

**Commission / Public Comments**

Mr. Laurien stated that he received a call from Scioto Twp. Trustee Sandra Stults complimenting Mr. Sanders on his hard work and composure during the Comprehensive Plan meetings.

***Mr. Gladman made a motion to recommend approval of the Scioto Township Comprehensive Plan. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**V. SUBDIVISION PROJECTS**

**Preliminary**

**01-05           Cheshire Woods, Sections 1-4 – Berkshire Twp. - 271 lots / 228.68 acres**

**06-05           Cheshire Woods Estates – Berkshire Twp. - 50 lots / 139.30 acres**

**Applicant:** James Wilson

**Subdivision Type:** Single-family Residential

**Location:** 1850, 1738 Rome Corners Road, Berkshire Twp.

**Current Land Use:** Agriculture, farmhouse and buildings, woods, and air strip

**Zoned:** Planned Residential District, (PRD)

**Utilities:** Del-Co water and County sewer (Cheshire Woods), on site sewage disposal  
(Cheshire Woods Estates)

**School District:** Big Walnut and Olentangy

**Engineer:** Advanced Civil Design (Cheshire Woods)  
Hockaden (Cheshire Woods Estates)

### **I. Staff Comments**

Cheshire Woods (271 lots/228.68 acres) and Cheshire Woods Estates (50 lots/139.3 acres) combine to form a 321-lot subdivision on 268 acres (an overall density of 0.87 du/acre). The development is located south of Cheshire Road and between Rome Corners Road and Interstate 71. The lots in Cheshire Woods are typically between 12,000-13,000 s. f. (90' X 135') and are served by County sewer. Lots in Cheshire Woods Estates are a minimum 2 acres and will utilize individual on lot sewage disposal systems. The entire development contains 133.45 acres of open space (36%) scattered in 13 reserve lots (Cheshire Woods – 121.32 acres, Cheshire Woods Estates – 12.13 acres). Reserve B in Cheshire Woods is a 58+ acre reserve along the western boundary providing a buffer from I-71. Existing wetlands are preserved within open space and woods are maintained where possible by “No-build” easements if outside open space.

Summerford Drive provides access to Cheshire Woods from Cheshire Road and extends through the middle of the site toward the south boundary. Wrenbury Drive is a long perimeter loop street on the west side. Broxton Lane, Lawton Street and Grafton Lane connect Cheshire Woods and Cheshire Woods Estates. Adlington Drive extends to the north boundary for potential future development of the adjacent land. Hatherton Place and Lawton Street connect to Rome Corners Road providing access to Cheshire Woods Estates. A mulch walking path will be provided throughout the open space in Cheshire Woods with an asphalt bike path constructed along one side of the streets within Cheshire Woods Estates. Sidewalks are provided within Cheshire Woods only. Retention ponds are located within open space in both subdivisions.

Cheshire Woods will be developed in 4 sections while Cheshire Woods Estates will be developed in 3. This site was rezoned to PRD in 2004 (RPC # 09-04 ZON). Surrounding land use is predominately agricultural with scattered single family lots along Cheshire Road and Rome Corners Road. Most of the area is still zoned Agricultural (A-1) but a number of smaller residential lots between 1-5 acres are zoned Farm Residential (FR-1).

***A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes.***

### **II. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Cheshire Woods, Section 1-4** to the RPC.

Staff recommends *Preliminary Approval* of **Cheshire Woods Estates** to the RPC.

### **Commission / Public Comments**

Mr. Jim Whitacker of Advanced Civil Design was present to represent the applicants of Cheshire Woods, Section 1-4.

Mr. Mike Bauder, nearby resident of Woods of Rome Corners, stated that this project contains some

significant deep ravines where the access comes out. He also questioned the safety issues regarding sight distance. Mr. Whitaker stated that a traffic study was completed and the road would be widened on Rome Corners and Cheshire Rd.

**Mr. Gladman made a motion for Preliminary approval of Cheshire Woods, Sections 1-4. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Hopper). Motion carried.**

Mr. Kurt Ziessler of Hockaden & Associates was present to represent the applicants for Cheshire Woods Estates.

Mr. Snajd asked if there was resolution with the road issues with Mrs. Henry. Mr. Ziessler stated that there has been discussion and they are working on a resolution with Mrs. Henry.

**Mr. Shoaf made a motion for Preliminary approval of Cheshire Woods Estates, seconded by Mr. Spanner. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Hopper). Motion carried.**

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**05-05                    The Estates at Sherman Lakes – Berlin Twp. - 34 lots / 40.70 acres**

**I.                    Conditions**

**Applicant:** Ron Sabatino, T&R Properties, Inc.  
**Subdivision Type:** Single-family Residential  
**Proposed Density:** 0.84 du / 1 acre  
**Location:** 6787 Dustin Road, Berkshire Township  
**Existing Land Use(s):** Pasture/Wooded  
**Zoned:** Farm Residential (FR-1) w/ Planned Residential (PRD) overlay  
**School District:** Olentangy Local School District  
**Utilities Available:** Del-Co Water and County Sewer  
**Critical Resources:** Wetland area  
**Engineer:** Randy VanTilburg, Floyd Brown & Associates, Inc.

**II.                    Staff Comments**

The applicant is proposing 34 single-family residential lots in a “Conservation Subdivision” on 40.7 acres with centralized open space. Lots range from 0.37 acres to 1.18 acres in size with a gross density of 0.84 dwelling units per acre. The development includes 16.92 acres (41.6%) of open space containing three retention basins and a bike path along Africa Road extending to the proposed outdoor storage area.

This proposal also includes a 1.5-acre outdoor boat storage parcel that is to be owned and operated by a property management company that will primarily serve the residents of this development. This storage parcel will have a 20’-wide paved entrance leading to a grass/gravel parking lot that will hold approximately 100-boats. The perimeter of this parcel will contain evergreen trees to screen this storage lot. The plan also indicates mounding along Africa Road.

Surrounding land uses include Sherman Lakes Subdivision to the south and west. A large undeveloped tract is located north and east, which has been given preliminary approval as Eagle’s Ridge Subdivision.

A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes, except:

- “Street B” needs to be renamed and approved by the Map Department.
- Potential road alignment and improvements need to be noted on the plans indicating potential improvements to Africa Road.

### **III. Staff Recommendations**

Staff recommends *Conditional Approval* of the preliminary plan for the **Estates at Sherman Lakes** to the DCRPC, *subject to*:

- 1.) *Resolution of road alignment and improvement issues with the County Engineer’s Office regarding the intersection at Africa Road.*
- 2.) *Street B needs to be renamed.*

### **Commission / Public Comments**

Mr. Jason Sanson with Floyd Browne Associates was present to represent the applicant.

Mr. Pike stated they have met with the developer and his engineer to work out the Africa Road improvements and are confident they will be secured before final engineering.

Mr. Laurien noted that this is a conservation subdivision, probably the first one in the County. It has a density of 1 unit per net developable acre.

***Mr. Shoaf made a motion for Preliminary approval of the Estates at Sherman Lakes. Mr. Snajd seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. O’Brien). Motion carried.***

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## **02-05 Estates at Medallion – Genoa Twp. - 11 lots / 7.42 acres**

### **I. Conditions**

**Applicant:** Romanelli & Hughes Building Co.  
**Subdivision Type:** Single-family Residential  
**Proposed Density:** 1.48 du/acre  
**Location:** 5766 Sunbury Road, Genoa Township  
**Existing Land Use(s):** House / Wooded  
**Zoned:** Suburban Residential (SR)  
**School District:** Westerville City School District  
**Utilities Available:** Del-Co Water and County Sewer  
**Critical Resources:** None  
**Engineer:** Drew Sanderell, EMH&T, Inc.

### **II. Staff Comments**

The applicant is proposing eleven (11) single-family residential lots on 7.42 acres in Genoa Township. The plan includes a low-volume, low-density (LVLD) cul-de-sac street (Lindsey Court) that extends off the west side of Sunbury Road into the site. All proposed lots will access off this cul-de-sac street. The applicant has delineating no-build areas around the perimeter of this development to preserve some of the natural character. The existing residence will be razed.

Surrounding land uses include Medallion Estates to the south, the Medallion Golf course to the west, 1 and 2 acre lots along Sunbury Road and the Hoover Reservoir to the northeast across Sunbury Road.

Staff conducted a site review (02-12-S) in June 2002 and DCRPC recommended approval of the SR rezoning (29-04 ZON) in May 2004.

*A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes.*

### **III. Staff Recommendations**

Staff recommends *Preliminary approval* of the **Estates at Medallion** to the RPC.

#### **Commission / Public Comments**

Mr. Drew Sanderell of EMH & T was present to represent the applicant.

Mrs. Warthman stated that she did not received a revised plan for this project after the TRC meeting. She had an extensive list of comments that have not been answered on this plan. Mr. Laurien explained that the applicant should forward revisions to the Township as they do to the RPC. Mr. Sanderell said that he thought that the revisions submitted to the RPC were sent to the Township also. Mr. Laurien stated that submittal timing does not allow for that to work. The Commission agreed to have this issue addressed in the amendments to the Subdivision Regulations that are currently being revised.

Mrs. Warthman stated that the storm water connection does not connect to the west onto the Medallion Golf course. Mr. Sanderell stated that there is a connection on the far northwest corner. He does not know why it is not shown on the revised plan. It was on the original plan and it would be corrected. The sewer should connect to the north.

***Mr. Shoaf made a motion for Preliminary approval of the Estates at Medallion. Mr. O'Brien seconded the motion. Mrs. Warthman stated that she would like conditions added to the motion: 1. Storm connection to the offsite Medallion 30" be properly diagram on the Preliminary plan, 2. a sewer connection will be stubbed to the property in addition to the north, 3. additional mitigation for tree disturbance will be provided and calculated for the Township's review. Mr. Shoaf and Mr. O'Brien agreed with the additional conditions. VOTE: Unanimously For, 0 Opposed. Motion carried.***

Mr. Sanderell asked if the motion was to require the applicant to extend the sewer to the north. Mrs. Warthman said yes, it would be a requirement of the Sanitary Engineer. Mr. Sanderell said it is not that they are not willing to do it, the question is to where does it extend. Mr. Smelker stated that they can work on the details with them.

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#### **04-05                    The Manors at Willow Bend – Genoa Twp. - 16 lots / 12.46 acres**

**Applicant:** Edwards Land Company

**Subdivision Type:** Single Family Residential

**Location:** South Side of Big Walnut Road, 2000 feet west of Worthington Road

**Current Land Use:** vacant woods, former church camp  
**Zoned:** PRD (Planned Residential)  
**Utilities:** Del-Co Water, public sewer system  
**School District:** Olentangy  
**Engineer:** EMH&T, Drew Sanderell

**I. Staff Comments**

The Manors at Willow Bend is a 16-lot subdivision on a modified cul-de-sac. The entrance aligns with Grandmere Blvd to the north, which accesses Grand Oak Subdivision. The cul-de-sac includes a wooded island, which serves to allow frontage to additional lots and to preserve trees. This modified cul-de-sac required a variance from the County Engineer's streets standards, which has been granted. No additional connections to adjacent land were requested because most parcels to the west and south are developed and the church plans to keep the land to the east for its own expansion.

*A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes.*

**II. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Manors at Willow Bend** to the RPC.

**Commission / Public Comments**

Mr. Drew Sanderell, of EMH & T, was present to represent the applicant.

Mrs. Warthman expressed concern with Note "D" not being represented correctly on the plan in regards to the utility perpendicular to the no build zone. She also asked about the possible sanitary stub to the church.

Mr. Sanderell stated that they are still investigating the best location to put the stub. The storm sewer on the east property line was discussed at Technical Review by the SWCD that they felt there were not enough rear yard storm inlets throughout the site. He questioned what happens when zoning and the engineers/SWCD requirements collide? Mrs. Warthman stated that he should work with both agencies to resolve the issue.

*Mrs. Warthman made a motion for conditional Preliminary approval, subject to the applicant working with the Township to establish the best possible pick up of water on the east property line, investigation of the additional sanitary stub to the church property to the east, additional mitigation of disturbance in the no build tree preserve before Final platting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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26-04                      Fairways at Blue Church – Kingston Twp. - 243 lots / 605.00 acres

**Applicant:** Robert Weiler, c/o Siemer Land LLC  
**Engineers:** Environmental Design Group (EDG) and Floyd Browne Associates (FBA)

**I. Staff Comments**

The applicant is requesting a 90-day tabling to resolve issues raised by the Technical Review Committee. This application was previously tabled in October 2004.

**II. Staff Recommendation**

Staff recommends *Approval of the 90-day tabling request* for the Preliminary plan of the **Fairways at Blue Church Subdivision**, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for approval of the 90-day tabling of Fairways at Blue Church. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**27-02.D Wedgewood Park, Section 2, Phase D – Liberty Twp. - 43 lots / 33.69 acres**

**Applicant:** Virginia Homes  
**Subdivision Type:** Single Family Residential  
**Location:** East Side of Riverside Drive, west of Wedgewood Park  
**Current Land Use:** vacant/former agricultural and woods  
**Zoned:** PRD (Planned Residential)  
**Utilities:** Del-Co Water, public sewer system  
**School District:** Olentangy  
**Engineer:** C. F. Bird and R. J. Bull Inc.

**I. Staff Comments**

Wedgewood Park, Section 2, Phase D extends west from Section 1, which has access on Powell Road. Section 2 connects to Riverside Drive to the west. The site is a large wooded area with deep ravines with a major intermittent stream and related feeder creeks.

The plan includes Creighton Drive crossing the site from west to east and joining with Section 1. A street connection is provided to 16-acre parcel to the north. A Common Access Drive to the north serves two lots. Pine Creek Drive extends to the south and ends in a cul-de-sac. Two Common Access Drives extend between the ravines to the west, one with four lots and one with five. The developer and consulting engineer has been working with the Township and with staff since early 2003 to achieve a plan that avoids costly cutting and filling and preserves the significant ravines and wooded areas within this phase.

*A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes.*

**II. Staff Recommendation**

Staff recommends *Preliminary Approval of Wedgewood Park, Section 2, Phase D* to the RPC.

**Commission / Public Comments**

Mr. Andrew Gardner of Bird + Bull was present to represent the applicant.

Chairwoman Foust stated that this plan is a much better design than the previous plan.

**Mr. Gladman made a motion for Preliminary Approval of Wedgewood Park, Section 2, Phase D. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**03-05                      Wilshire, Section 7, Phases 1 & 2 - Orange Twp. - 49 lots / 34.60 acres**

**Applicant:** Centex Homes  
**Subdivision Type:** Single-family Residential  
**Location:** South of East Orange Road and east of South Old State Road, Orange Twp.  
**Current Land Use:** Woods  
**Zoned:** Single Family Planned Residential District, (SFPRD)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** EMH&T

**I.                      Staff Comments**

Wilshire Estates, Section 7 contains 49 lots on 34.6 acres (1.42 units/acre). It is located east of Wilshire Estates Section 6 and connects to the future McCammon Estates to the east. Walker Woods condos are located to the south and the Olentangy Middle School is to the north. A 150' electric easement and power lines run just north of the site along the school property. There are four ravines that traverse the site. The design is intended to use the ravines as open space (11.4 acres / 33 % of site) with many of the proposed homes backing up to these ravines using walkout basements. The layout includes the easterly extension of Pleasant Colony Drive from Wilshire Estates to Walker Wood Boulevard in the future McCammon Estates. A cul-de-sac is proposed on the north side of the main road near the western edge of the site. A second cul-de-sac, which will be constructed in Phase B, is proposed in the southeast corner of the site gaining access from Walker Wood Blvd. Each cul-de-sac will cross a ravine. Earthen dams are proposed in 2 of the ravines for stormwater detention.

*A technical review was held on January 18, 2005, after which the applicant has addressed all of the required changes.*

**II.                      Staff Recommendation**

Staff recommends *Preliminary approval* of **Wilshire, Section 7** to the RPC.

**Commission / Public Comments**

Mr. Drew Sanderell of EMH & T was present to represent the applicant.

**Mr. Gladman made a motion for Preliminary Approval of Wilshire, Section 7. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**Preliminary/Final** (none)



## **CONSENT AGENDA**

### **Final**

**15-04 T Whisper Trace – Concord Twp. - 13 lots / 28.63 acres**

**Applicant:** Whisper Trace, LLC  
**Engineer:** Chenevey and Piccin

### **I. Staff Comments**

The applicant has requested a 30-day tabling to resolve engineering issues and obtain Health Department approval. This application received preliminary approval May 27, 2004.

### **II. Staff Recommendation**

Staff recommends *approval of the 30-day table* request for **Whisper Trace** to the RPC.

### **Commission / Public Comments**

**Mr. Gladman made a motion to approve the 30-day table request for Whisper Trace. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**26-99.4 The Woods of Dornoch, Sec. 4 – Delaware Twp. - 21 lots / 08.86 acres**

**Applicant:** New Green Highland Development, Ltd.  
**Subdivision Type:** Single-Family Residential  
**Location:** W. of Braumiller Road, 3,000' east of SR 23, Delaware Twp.  
**Current Land Use:** Wooded, vacant land  
**Current Zoning:** Planned Residential  
**Utilities:** Del-Co Water and Central Sewer  
**School District:** Olentangy  
**Engineer:** M-E Companies Inc.

### **I. Staff Comments**

Woods of Dornoch Section 4 includes an extension of Maketewah Drive from existing Section 3, with house lots on either side. A temporary turnaround easement is identified in a future section to the east. Dornoch is served by a land-application sewer system.

**The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.**

### **II. Staff Recommendation**

Staff recommends *Final approval* of **Woods of Dornoch Section 4** to the RPC.

### **Commission / Public Comments**

**Mrs. Warthman made a motion for Final approval of Woods of Dornoch Section 4. Mr. Snajd**

*seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. EXTENSIONS** *(none)*

**VII. OTHER BUSINESS**

- **Consideration of approval: Application Fee waiver for Fulton Creek Friends Church lot split**  
Chairwoman Foust read a letter from Mr. Ed Kapraly, Spiritual Life Elder of the Fulton Creek Friends Church requesting a lot split fee waiver. He stated that the church was selling the parsonage located on the church property to former Pastor Charles Fye. “Pastor Fye led the congregation for over 20 years and in August of 2003 he was diagnosed with bone cancer. As a goodwill gesture to him and his family” the congregation decided “to sell the parsonage to him at a highly discounted price. The \$185 application fee would present a hardship” to the small congregation.

*Mr. Gladman made a motion to approve the fee waiver for a lot split of the parsonage land from Fulton Creek Friends Church to Charles Fye. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Chairwoman Foust stated that this motion does not set a precedent for future application waivers. Mr. Gladman agreed that requests must be considered on a case by case basis.

- **Disposal of Surplus Office Equipment Resolution #01-2005**

Mr. Laurien explained that at the request of our Attorney Don Brosius, the Commission should have a resolution describing surplus office equipment disposal. Chairwoman Foust read the following resolution:

**- Resolution 01-2005 -**

**Disposal of Surplus Office Equipment**

*WHEREAS, the Delaware County Regional Planning Commission may occasionally have surplus equipment, and*

*WHEREAS, the equipment has been determined unfit for the use for which it was acquired, and*

*WHEREAS, such equipment shall first be offered to dues paying member communities and then to the general public through the Delaware County auction procedures.*

*NOW, THEREFORE, be it resolved that the Executive Director is hereby authorized to sell, dispose of or convey surplus equipment as defined above.*

*Mr. Ken O'Brien made a motion to approve Resolution #01-2005. Mr. Jones seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **Consideration for approval: Transfer of Appropriation \$625.38 from Salaries to Benefits for 2005 Insurance increase**

Chairwoman Foust explained that the January 2005 health insurance payment was made in the last payroll of 2004 and included the increased cost. Therefore, there was a \$625.38 shortfall in that account. The transfer of appropriation would cover that shortfall. The transfer would not increase the approved budget for 2004.

**Mr. Snajd made a motion to approve the transfer of appropriation of \$625.38 from Salaries to Benefits. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- **Consideration of approval: Food purchases**

Chairwoman Foust stated that it is a requirement by the Auditor that all food purchases be pre-approved by the Commission.

**Mrs. Warthman made a motion to approve food expenditures for RPC and Executive Committee meetings as described in each year's approved budget. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- **Consideration of approval: 2004 Contract overtime pay out**

Chairwoman Foust explained that the approved Bonus Policy allowed for payment of contract overtime. Overtime is calculated as hours spent on contract work after 5 pm. These monies have been paid to the RPC by their members that contracted for extra services, which include evening meetings.

Staff	Contract OT hours available for pay	Salary	Benefits (PERS, Medicare, WC)	Total
Phil Laurien	125	\$5,092.50	\$836.7	\$5,929.20
Paul Deel	37.25	\$936.84	\$153.92	\$1,090.76
Scott Sanders	20.5	\$445.47	\$73.19	\$518.65
Joe Clase	54.25	\$1,020.44	\$167.66	\$1,188.10

**Mr. Shoaf made a motion to approve the 2004 contract overtime as follows: Phil Laurien \$5,092.50, Joe Clase \$1,020.44, Paul Deel \$936.84 and Scott Sanders \$445.47. The total amount to be paid including benefits is not to exceed \$8,726.71. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**VIII. POLICY / EDUCATION DISCUSSION (none)**

**IX. RPC STAFF AND MEMBER NEWS (none)**

**Mr. Shoaf made a motion to adjourn the meeting at 9:30 p.m. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 24, 2005, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35,***

***Delaware, Ohio 43015.***

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*Holly Foust, Chairwoman*

*Stephanie Mallack, Executive Administrative Assistant*