



Philip C. Laurien, AICP, Executive Director

**\*MINUTES\***  
**Thursday, January 30, 2003 at 7:00 PM**  
**Delaware Hayes Services Building,**  
**140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015**

47-00.2.2.A/B North Orange, Sec. 2, Ph. 2, Pt.'s A & B Orange      54 lots / 26.57 acres  
**T=TABLED, W=WITHDRAWN**

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of December 19, 2002 RPC Minutes
- Executive Committee Minutes of January 15, 2003
- Statement of Policy

**V. EXTENSIONS (none)**

**VI. OTHER BUSINESS**

- Executive Directors Annual Evaluation
- Consideration for Approval: 2003 Liability Insurance \$8,278.00
- Consideration for Approval: Gardner Architects \$1,288.00

**VII. POLICY / EDUCATION DISCUSSION**

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**II. VARIANCES**

01-03.V      Farneman Estates – Concord Twp. – variance from required tree clear cut

**I. ADMINISTRATIVE BUSINESS**

**#Call to Order**

Chairwoman Foust called the meeting to order at 7:05 p.m.

**III. ZONING MAP/TEXT AMENDMENTS**

- 01-03 ZON      Middlesex LLC – Berkshire Twp. – 82.90 acres from A-1 to PRD  
 02-03 ZON      Kenneth & Donna Belczek – Berk. Twp. - 3.5 acres from FR-1 to PCD  
 03-03 ZON      Troy Twp. Zoning Commission – text amendments  
 04-03 ZON      Berlin Twp. Zoning Comm. – text amendments and Comprehensive Plan  
 05-03 ZON **W/D** Andrzej Fryczkowski & Barbara Hanna–Liberty Twp.–1.5 from FR-1 to PC  
 06-03 ZON      George & Alice Keller – Harlem Twp. – 20.619 acres from AR-1 to SFPRD

**# Roll Call**

Representatives: Don Poland, Fred Fowler, Jim Ward, Steve Burke, Tom Hopper, Leslie Warthman, Cy Schmidt, Andrew Brenner, Holly Foust, Charles Heimlich, Dick Gladman, Yvonne Ball, Bill Thurston, Shawn Leininger, Lloyd Shoaf, Hansel Waugh, Dennis Bell, and Larry Dewitt. Alternates: Rick Sedlacek, Doug Riedel, Mary Newcomb, and Ken Baker. Arrived after roll call: Gary Spanner (R). Staff present: Phil Laurien, Scott Sanders, Paul Deel, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

**IV. SUBDIVISION PROJECTS**

	<b>Township</b>	<b>Lots/Acres</b>
<b><u>Preliminary</u></b>		
01-03      Farneman Estates	Concord	02 lots / 07.80 acres
23-02 <b>T</b> Sylvan Retreat	Concord	11 lots / 28.09 acres
02 <b>T</b> Myers Glen	Delaware	09 lots / 17.24 acres
02-03.1/2      Walnut Grove Est., Sec. 1 & 2	Genoa	56 lots / 51.30 acres
03-03      Vinmar Farms	Genoa	122 lots / 87.20 acres
18-02 <b>W/D</b> Big Bear Farms, Section 10	Liberty	06 lots / 28.90 acres

**# Approval of the December 19, 2002 RPC Minutes**

*Mr. Gladman made a motion to approve the minutes of the December 2002 meeting. Seconded by Mr. Cy Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Preliminary/Final**      (none)

**Final**

24-02      Maxwell Acres	Genoa	02 lots / 05.14 acres
19-01.1.A      Sheffield Park, Section 1, Ph. A	Genoa	46 lots / 31.62 acres
24-99.1 <b>T</b> Seldom Seen Acres, Sec. 1(resubd.)	Liberty	04 lots / 46.69 acres

**# January 15, 2003 Executive Committee Minutes**

**1. Call to order**

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

**2. Approval of Executive Committee Minutes**

**a. December 11, 2002 – Mr. Gladman made a motion to approve the**

*minutes of the last meeting, seconded by Chairwoman Foust.  
 VOTE: Unanimously For, 0 Opposed. Motion carried.*

**3. Old Business**

- a. **Office Space** – Mr. Laurien stated that the renovations to 109 N. Sandusky Street are on time and under budget. The lease agreement stated the RPC contribution amount not to exceed \$220,000. Today RPC costs are at estimated \$197,428. Plaster patchwork is scheduled to begin today. Commissioners will have an added expense of repairing a rotted timber in the attic, which has caused damage to the attic floor and the ceiling to the second floor. Mid April is the targeted move in date. Estimated total (RPC) project cost is \$205,000.

*Chairwoman Foust asked if we have contacted moving companies for quotes. Mr. Laurien said that he has had two estimates and may request a third.*

**4. New Business**

- a. **Financial / Activity Reports for December 2002**  
 The December Financial report was presented:

**Ending balance as of 11/30/02** **\$446,422.03**

<u>Receipts</u>	<u>December</u>	<u>YTD</u>
General Fees (NPA)	\$ 2,640.00	\$ 22,180.00
Inspec. Fees (Transfer)	\$ 100.00	\$ 1,060.00
Fees A (Site Review)	\$ 100.00	\$ 2,900.00
Membership Fees	\$	\$139,602.80
Planning Surcharge (Twp. Assist.)	\$ 4,025.94	\$ 34,514.80
Charges for Services A (Prel. Appl.)	\$	\$ 74,135.00
Charges for Services B (Final Appl.)	\$	\$100,160.05
Charges for Services C (Ext. Fees)	\$	\$ 1,650.00
Charges for Services D (Table Fees)	\$ 200.00	\$ 6,000.00
Charges for Services E (Appeal/Var)	\$	\$ 2,100.00
General Sales	\$ 260.00	\$ 6,298.04
Health Dept. Fees	\$	\$ 9,810.00
Soil & Water Fees	\$ 126.00	\$ 6,015.00
Other Reimbursements	\$	\$ 216.66
Other Reimbursements A	\$ 1.37	\$ 500.83
Other Reimbursements B	\$	\$
Canceled Warrants	\$	\$
Inter-fund Revenues	\$	\$

**TOTAL** **\$ 7,453.31**  
**\$ 407,243.18**

**Balance after receipts** **\$453,875.34**  
**Expenditures** **- \$56,589.29**  
**End of December balance** **\$397,286.05**

*Mr. Ward made a motion to approve the financial report. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. **January RPC Preliminary Agenda** – 1 Variance, 1 Zoning, 6 Preliminary (1 tabled, 1 withdrawn), 4 Finals.

**5. Other Business**

- a. **Contract Updates – Contracts in Progress:**
  - (1.) Concord Twp. – Comp. Plan full draft delivered, estimated completion in April 2003
  - (2.) Kingston Twp. - Comp. Plan full draft delivered, estimate completion in May 2003
  - (3.) Model Zoning Resolution – working draft complete, continue with Berk. Twp., estimated completion March 2003
  - (4.) Del Co. Subdivision Regulations – draft complete, awaiting legal review, estimated completion April 2003
  - (5.) Trenton Twp. – Comp. Plan, working on Chapters 10 and 11, estimated completion June 2003
  - (6.) Sunbury – Comp. Plan, working on Chapters 8 and 9, estimated completion September 2003
  - (7.) Olentangy School District GIS – base mapping, projections complete, estimated completion April 2003
  - (8.) Genoa Twp. – comments on initial zoning code amendments 1/29/03, revise code then update comp. plan, estimated completion June 2004.

**Next Contracts:**

- (1.) Berlin Twp. – zoning update – start Jan. 2003
- (2.) Liberty Twp. – zoning and comp. plan update – start Feb. 2003
- (3.) Ashley – comp. plan – start June 2003
- (4.) Scioto Twp. – comp. plan start August 2003

**Non-Contract Participation:**

- (1.) MORPC Traffic and Growth Management Toolbox, est. completion 6/03

- (2.) MORPC Franklin-Delaware Growth Study Caucus – est. completion 6/03
- (3.) Delaware City Comp. Plan Steering Committee – est. completion 6/03
- (4.) Delaware County Sanitary Sewer Master Plan
- (5.) Delaware County Board of Health Sewage Rules Committee – est. completion 6/03
- (6.) Friends of the Lower Olentangy Watershed Plan – est. completion 4/03
- (7.) Delaware Co. Board of Health PACE – est. completion 5/03

## 6. Personnel

- a. **2002 Staff Overtime Hours** – Mr. Laurien presented the Committee with a spreadsheet on the 2002 total overtime hours worked by staff along with a comparison of 2000 and 2001 overtime hours.
- b. **Annual Evaluation** – *Mr. Ward made a motion to move to Executive Session at 10:00 a.m. to discuss employee annual evaluations. Mr. Gladman seconded the motion. Roll call vote: Unanimously agreed, 0 Opposed. Motion carried.*

At 11:00 a.m., *Mr. Gladman made a motion to return to regular session, seconded by Mr. Ward. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*Mr. Gladman made a motion to hold a special Executive Committee meeting, January 30, 2003 at 6:30 p.m., seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

## 7. Adjourn

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

*A special Executive Committee meeting will be Thursday, January 30, 2003 at 6:30 p.m. in conference Room G35 at the Delaware Hayes Services Building at 140 N. Sandusky St., Delaware, Ohio, 43015*

*The next regular Executive Committee meeting will be Wednesday, February 19, 2003 at 8:30 a.m. in the 2<sup>nd</sup> Floor conference room at 50 Channing St., Delaware, Ohio, 43015*

## # 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

### 01-03.V Farneman Estates – Concord Twp. – variance from required tree clear-cut

#### Request

Roy and Virginia Farneman are requesting a variance for clearance of trees for the proposed Common Access Drive (CAD) in Farnemen Estates Subdivision. This is a variance from the Subdivision Regulations, Section 306.05(d), which requires tree and shrub removal within 16 feet of the CAD centerline.

#### Staff Comments

Farnemen Estates is a proposed two-lot CAD subdivision on the east side of Dublin Road (SR 745) adjacent to the O'Shaughnessy Reservoir. The subdivision is almost entirely wooded and includes an existing 10' paved driveway that will be widened to 12' and utilized as the CAD. A plan submitted by the consulting engineer shows 105 trees located, or having low overhanging branches within 16' of the existing driveway centerline. The plan shows 27 trees within 10 feet of the centerline.

#### Facts

1. The Delaware County Subdivision Regulations specify in section 306.05 that there shall be "tree and shrub removal within 16 feet of CAD centerline". There are 105 trees within this 16-foot swath.
2. The requirement for 10 feet of clear area along roads is an ASHTO (American Society of Highway Officials) requirement, according to the County Engineer. There are numerous county and township roads where this 10' standard is not met, thereby making it seem excessive on private low speed roads, especially CADs.
3. CADs are subdivisions, which confers responsibility and may confer limited liability on the county for the actual road standards. Although

private, CADs are open to the residents, fire and police, visitors and delivery people. They must be built to a reasonable standard of safety.

4. Trees that are too close to the CAD are a danger to the traveling public, especially in wet or icy conditions. It would be inappropriate to reduce this clear area setback to zero, but 10 feet seems excessive on such a low-speed semi-private road. After considerable discussion, the County Engineer and staff agreed that reduction of tree and shrub removal from 10' to 4' in most cases would be reasonable and safe.
5. A four-foot setback from the edge of the paved CAD will permit many trees adjacent to this CAD to remain. However, there are several trees that will still have to be cleared prior to CAD approval.

**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.

**Findings:** These trees will not be detrimental to the public health, safety and welfare or injurious to other parties as long as those located within four feet (4') of the CAD surface (after the driveway is widened) are removed. The Concord Township Fire Chief has inspected the driveway and found it to be adequate (letter dated October 7, 2002). Per telephone conversation and revised letter on January 29, 2003, the Fire Chief would support a 20' clearance from centerline with a 12' pavement width for the CAD. Chief Varner stated that the original letter was based on a review of the single residential existing driveway and not a CAD.

- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

**Findings:** The property is mostly wooded with mature trees leading up to the O'Shaughnessy Reservoir. The current driveway has been kept clear of branches and undergrowth. Clearing trees to 16' of CAD centerline would substantially change the character and appearance of the property.

- 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.

**Findings:** Removing these 105 trees would produce an unnecessary economic burden to the applicant, if required. The driveway does not have any steep topography and has been kept relatively free of obstructions. The wooded corridor adds aesthetic appeal to the subdivision and surrounding properties. The Commission has approved a reduction from 16' to 10' from centerline in the past.

- 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.

**Findings:** A variance from 16' to 10' from centerline will still allow regular traffic and emergency vehicles sufficient access to the lots within this subdivision. The variance will not affect any local zoning regulation or comprehensive plans.

**Staff Recommendation**

Staff recommends to the RPC that the request by Roy and Virginia Farneman for a variance for a reduction in the clear-cut requirement for the CAD in Farneman Estates be **granted** from sixteen feet (16') to ten feet (10') from the centerline of the CAD, as long as a 20 foot wide by 12 foot high cleared swath remains for emergency access.

**Commission / Public Comments**

Court recorder Rebecca Lefever swore in all individuals wanting to discuss this application.

Mr. Bob Patridge of Patridge Professional Surveyors was present to represent the applicant. He stated that some of the trees have already been removed since the staff photo was taken. The fire chief visited the site and gave his approval. After he (Fire Chief) was told that another house would be using the drive he changed his decision. Mr. Patridge stated that the applicant is willing to clear those trees necessary for approval.

***Mr. Cy Schmidt made a motion to approve the variance for Farneman Estates to reduce the clear cut requirement for the CAD from sixteen feet (16') to ten feet (10')***

*from the centerline of the CAD, as long as a 20 foot wide by 12 foot high cleared swath remains for emergency access. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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### III. ZONING MAP/TEXT AMENDMENTS

01-03 ZON Middlesex LLC – Berkshire Twp. – 82.90 acres from A-1 to PRD

#### I. Request

Middlesex LLC submitted a request to change 82.9 acres (the Lee tract) on South 3 B and K Road in Berkshire Township 1600' south of Cheshire Road from A-1 zoning to a Planned Residential District (PRD) zone. A preliminary development plan as permitted under Section 11.08 has been submitted for zoning consideration of proposed Berkshire Meadows Section 2. This is a legislative act and subject to referendum.

If zoning is approved, a final development plan must be submitted to the Zoning Commission for administrative review. That plan would not be subject to referendum.

**Present Use:** Agriculture

**Proposed Use:** 103 single family homes on 10,000 square-foot lots, with 12.5' side yards; elementary school site

**Existing Density:** 1-unit/5 acres (.20 units/acre) in A-1 zone

**Proposed Density:** 1.24 units/gross acre (calculation includes acreage within the I-71 easement)

**School District:** Olentangy

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

#### II. Existing Conditions

##### A. Adjacent Existing Land Uses-

West- future Harbor Pointe PRD subdivision in Berlin Township.

East – I-71

North- Single family homes, agriculture.

South- Vacant land, approved for Berkshire Meadows PRD section 1.

#### III. Preliminary Development Plan Comments pursuant to Section 11.08

##### b.):

##### A. General character and landscaping-

- 1.) The layout of the plan is generally good, with most lots facing open space. Two large retention ponds provide a scenic view for 55 of the 103 lots. A network of paths around the ponds is shown. Path material is not stated.
- 2.) Density of 1.24 units per acre complies with the Comprehensive Plan (1.25 per acre).
- 3.) No landscaping plan was submitted, but language is provided stipulating 2 street trees for each lot, minimum 1 1/2" diameter.
- 4.) 27 and 32-foot wide streets with curb-and-gutter and sidewalks are proposed. Staff suggests that the township be consulted about whether they would prefer grassy ditch sections.
- 5.) Open space- 10% required; 45 % provided.
- 6.) School site- by letter from Olentangy schools, it is implied that an elementary school site is being dedicated to Olentangy, presumably on the 20.89 acre open space west of the I-71 easement. The preliminary development plan should state the location of the school site.

**B.** No **architectural design criteria** were submitted. This requirement must be addressed by the township.

##### C. Proposed provisions for water, fire hydrants, sanitary sewer and surface drainage, to the extent known.

1. **Water-** letter from Del Co indicates the site can be served by a 16 inch main in 3 B and K Road.
2. **Fire hydrants-** service letter from the Fire Chief Caito, BST&G.

14 new hydrants are shown on 8” water lines.

**3. Sanitary Sewer-**No sewer currently exists, but the land in question lies within the Delaware County Sanitary Sewer service area. Sewer will be extended from Summerwood subdivision to Berkshire Meadows section 1. A letter from Sanitary Engineer Jack Smelker to the project Engineer states that the 82.9-acre Lee tract “was designed for 1.38 units per acre.

**4. Surface Drainage-**Soils are CaB (Cardington, 2-6 % slope), BeA (Bennington 0- 2% slope), PwA (Pewamo silty clay loam). A series of retention ponds is shown on the plan.

**D. Traffic-** 103 homes generate 1,030 new trips/day. 3 B and K Road may need turn lanes. Future street stubs to the north and south are good. Turn lane from the development to 3 B and K Road is good.

**E. Phasing-** time schedule for streets, buildings, utilities and other facilities should be part of a final development plan.

**F. Gas-** No service letter

**G. Electric-** service letter provided

**H. Police-** this development would add approximately 290 new residents. Final development plan should include service letter from the county sheriff.

**I.** No divergences requested.

**IV. Requirements for approval, Section 11.08 c.)**

A development plan must be submitted which meets listed criteria, and which is the expectation of what can, and would be built if the Planned District were approved and platted. “In approving an application for a PRD, the reviewing authority shall determine:”

**1.) If there are unique circumstances or conditions present which prevent the simultaneous submission of a final development plan with the application and whether the absence of a final development plan is materially detrimental to the public health, safety or welfare.**

*RPC staff finding: The plan still needs engineering feasibility work that can reasonably be done later under the administrative review of the zoning commission, therefore, the preliminary development plan is appropriate because the use and density conform to the comprehensive plan.*

**2.) If the proposed development is consistent in all respects with the purpose, intent and applicable standards of this Zoning Resolution:**

*RPC Staff Finding: The preliminary development plan is generally*

*complete, except for the architectural design criteria.*

**3.) If the proposed development is in conformity with the comprehensive plan or portion thereof as may apply.**

Berkshire’s Comprehensive Plan Sub Area IX recommends low density residential use at 1.25 dwelling units per acre if provided with centralized sanitary sewer that is maintained by the county.

*RPC Staff finding:*

*The PRD plan for the 82.90 acres does conform for PRD use and density to the adopted 2001 Berkshire Comprehensive Plan.*

**4.) If the proposed development advances the health, safety and general welfare of the township and the immediate vicinity.**

*RPC staff finding: The preliminary development plan does advance the public health, safety and welfare. Architectural design criteria must be added, and a final development plan submitted to the township.*

**V. DCRPC Staff Recommendation**

Staff recommends the preliminary plan and PRD zoning for 103 homes (1.24 units/acre) on 82.9 acres for Middlesex LLC **be approved** subject to:

- 1.) the submission of architectural design criteria to the township;
- 2.) the location of the proposed school site being placed on the preliminary plan.
- 3.) a final development plan must be approved by the township that meets all the requirements of Section 11.06 b.)

**Commission / Public Comments**

Mr. Kurt Ziessler of Hockaden & Associates was present to answer any questions.

Mr. Poland stated that there is already a subdivision named Berkshire Meadows, so this subdivision will have to be renamed (including renaming Section 1 that has already received zoning approval). Mr. Ziessler agreed.

**Mr. Gladman made a motion to recommend approval of the rezoning request by Middlesex LLC. Seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**02-03 ZON                      Kenneth and Donna Belczek – Berkshire Twp. - 3.5 acres from**

**FR-1 to PCD**

**Location:** 8144 East State Route 37

**Conditions**

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

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

**Present Use:** Single family residential

**Proposed Use:** Excavating company, office and equipment

**School District:** Big Walnut

**Utilities Available:** Del Co Water, On-site Septic

**Soils:** CaB Cardington Silt Loam, 2-6% slope  
BeB Bennington Silt Loam, 2-4% slope

**Surrounding Land Use**

Directly north is US 36/SR 37, with undeveloped Agricultural and Planned Commercial, including one private residence. To the east, west and south is Agricultural land.

**General Comments**

Applicant is requesting a change from FR-1 to Planned Commercial in order to accommodate their expanding excavation business. The applicant will tear down the present structure and build an 11,000 sf new steel structure, including offices, warehousing, space for office and warehouse rental and three truck bays.

**Conformance with Development Standards**

The following are concerns within the listed development standards of the Planned Commercial and Office District:

- 1) **Landscaping:** The application does not include a landscaping plan. PCD zoning requires that all yards, front, side and rear be landscaped. Article XXIII, Section 23.03, specifies that perimeter landscaping material shall be installed to provide a minimum of 50% winter opacity and 70% summer opacity.

The Comprehensive Plan calls for extensive landscaping in parking lots to avoid “seas of asphalt” and reduce runoff and temperatures.

Section 23.03 (b) defines landscaping within the development as well. Vehicular uses of over 50,000 square feet require a minimum of one tree for every 5,000 square feet. Trees shall have a clear trunk of at least five feet above the ground and the remaining area shall be landscaped with

shrubs, or ground cover, not to exceed two feet in height.

**Staff Recommendation:** Due to the size of the structure and the large area of paving, staff recommends the zoning commission require a detailed landscape plan that buffers this site from future adjoining development. The applicant may refer to the zoning code for specific landscaping requirements.

- 2) **Parking:** The applicant states an anticipated staff of approximately 23. The site plan allows for 63 parking spaces for autos, including 36 secure spaces behind a rolling gate. The plan also shows 21 spaces for trucks. In addition to these spaces, there is over an acre of paved circulation area to the rear of the structure. Impervious paved surfaces make up over 2.56 acres (73%) of the site. The plan does meet setback standards in the zoning for paved areas in a commercial district.

**Staff Recommendation:** That the applicants re-evaluate the amount of parking and circulation area needed and reduce the amount of paved surfaces. The County Engineer may require on-site stormwater storage areas, which could affect the amount of land for paving.

- 3) **Signs:** There is no sign detail included in the application. Article XXII of the Berkshire Township Zoning Code defines sign standards that must be followed.

**Staff Recommendation:** The township should require a monument (ground) sign for reduction of sign clutter along S.R. 37 as it develops. Staff also recommends that the sign use internal illumination with a dark background color. The applicant should follow the code with regards to setback and sign size.

- 4) **Exterior Lighting:** The application does not include a lighting plan. The zoning code notes that all exterior lighting fixtures shall be shaded when necessary to avoid casting direct light upon any adjoining property.

**Staff Recommendation:** That the township require a lighting plan that includes specifications for shaded and downward-cast fixtures.

- 5) **Building design:** The applicant has specified an 11,000 s.f. structure of standard warehouse design with metal siding and a large low-pitched roof. The building’s size suggests that it will have an impact on the character of the highway and on the adjoining parcels as they develop. The

comprehensive plan states that one of the township's goals is to maintain the rural character of the community. Although this is a developing commercial area, the building could be enhanced with architectural.

**Staff Recommendation:** *The township should work with the applicant on a building design that preserves the high value of this proposed commercial and office road frontage.*

**Criteria for Approval**

*"1) Consistent in all respects with the purpose, intent and general standards of the Zoning Resolution."*

**Staff finding:** The submitted plan meets the general zoning standards of the township code. However, the application is incomplete with regards to landscaping, signage and lighting. These issues should be resolved before the township can approve the zoning.

*"2) In conformity with the comprehensive plan or portion thereof as it may apply."*

**Staff finding:** The Berkshire Township Comprehensive Plan adopted in 2001 shows a commercial and office corridor along US 36/SR 37. The land surrounding the site and east of north/south Road "E" is designated as Planned Office, with Planned Commercial to the west. Higher value, office uses were desired in this area. Contractors' offices were expected to locate in the planned industrial area to the south of the Speedway truck stop. Because the requested zoning allows both office and commercial uses, this proposal does conform in part with the comprehensive plan, but a careful attention to an office façade and landscaping along US 36/SR 37 are important to preserve the high value of this frontage.

*"3) Advances the general welfare of the County and the immediate vicinity."*

**Staff finding:** This project provides a service used locally and will add to the tax receipts of the township and county.

**Other Issues**

The plan shows a 30' easement along the rear of the property for a future backage road to be deeded to either Delaware County or to Berkshire Township. This is consistent with the access management goals of ODOT on this state and US highway. The applicant has submitted a letter from ODOT stating no objection to the proposed driveway connection until the 30' backage road easement parallel to US 36/SR 37 is constructed, at which time the front driveway may be closed or left turn restricted.

The 30' portion of the proposed backage road should be built as part of this development if required by ODOT. Otherwise, the easement dedication for the

backage road is appropriate, as long as there is agreement as to who will build the backage road.

**Staff Recommendation**

Staff recommends the change in zoning from FR-1 to PCD to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees **be conditionally approved**, subject to the applicant addressing the following staff recommendations:

- 1) **Landscaping:** Due to the size of the structure and the large area of paving, staff recommends the zoning commission require a detailed landscape plan that buffers this site from future adjoining development. The applicant may refer to the zoning code for specific landscaping requirements.
- 2) **Parking/paving:** That the applicants re-evaluate the amount of parking and circulation area needed and reduce the amount of paved surfaces. The County Engineer may require on-site stormwater storage areas, which could affect the amount of land for paving.
- 3) **Signs:** The township should require a monument (ground) sign for reduction of sign clutter along S.R. 37 as it develops. Staff also recommends that the sign use internal illumination with a dark background color. The applicant should follow the code with regards to setback and sign size.
- 4) **Exterior Lighting:** That the township require a lighting plan that includes specifications for shaded and downward-cast fixtures.
- 5) **Building design:** The township should work with the applicant on a building design that enhances the high value of the adjacent road frontage for office and commercial use.

**Commission / Public Comments**

Mr. Ken Belczek was present to answer questions from the Commission.

Mr. Dewitt asked with the development projects that are being proposed in that area is there a service road being considered? Mr. Sanders stated that the easement at the rear of the property would serve as a service road.

Chairwoman Foust asked if the parking shown is in the easement for ODOT? Mr. Belczek stated that the drawing does show that but it is in error. He would make sure the parking is outside of the easement.



Mr. Hopper asked if the leach fields are out of the future right-of-way when the road is expanded to a 4-lane road. Mr. Belczek stated that he believed the right-of-way is 45' from the centerline and the leach fields are approximately 10 feet off of that. Mr. Laurien asked Mr. Riedel if you could do 4 lanes in 87'. He said, 'yes you could'. Mr. Belczek stated that he could rearrange the septic area and parking to accommodate the expansion of the road.

**Mr. Ward made a motion to recommend conditional approval of the zoning request from Mr. Belczek, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**03-03 ZON            Troy Twp. Zoning Commission – text amendments**

**Applicant:** Troy Township Zoning Commission  
**Request:** Review and Comment on text amendments

**General**

The Troy Township Zoning Commission initiated text amendments to the Zoning Resolution to regulate adult entertainment businesses and swimming pools. Adult entertainment businesses (proposed Article XX) will be a conditional use in the Planned Commercial and Office District (PCD) when previously they would have been permitted as "Other Commercial ventures not provided by other sections of this Resolution if approved as part of the plan." The Township is also proposing zoning restrictions for both public and private swimming pools with 2 proposed Articles (unnumbered). As proposed, public swimming pools would be permitted in Commercial Districts and allowed in other districts with a conditional use permit. Private swimming pools are permitted only in Residential Districts.

**Staff Comments**

A.) Adult Entertainment Businesses

Adult entertainment businesses should be listed as a conditional use in Article XV "Planned Commercial and Office District" not as a separate article (proposed Article XX "Adult Entertainment Businesses"). The proposed text change also requires the conditional use permit be approved by the Zoning Commission and/or Township Trustees. Conditional uses are approved by the Board of Zoning Appeals if the use meets certain standards or conditions.

With regard to the conditions, the Zoning Commission is proposing a

1,500' setback from uses where children are present (schools, churches, parks) and residential districts. The courts have upheld a 1000' separation from incompatible uses (i.e. schools, churches, and residential districts) as a valid regulation to limit undesirable secondary effects associated with adult entertainment businesses. The Township should consult with the County Prosecutor as to the validity of a 1,500' setback.

Staff also suggests that the definitions be listed in Article IV "Definitions."

B.) Swimming Pools

Most of the proposed text is already regulated by the Delaware County Code Compliance. However, much of the language is different than the requirements of the County Building Code. The Township should consider regulating the setbacks of swimming pools but simply reference the Building Code for additional restrictions to avoid future conflict. This can be accomplished by amending Article XXI, Section 21.05 (c) "Water Impoundment." List each swimming pool type in the appropriate zoning district as either permitted use or conditional use and reference Article XXI, Section 21.05 (c) "Water Impoundment."

Staff would suggest that the definitions be included in Article IV "Definitions."

**Staff Findings and Recommendations**

Staff recommends **conditional approval** of the Troy Township text amendments to the DCRPC, Troy Township Zoning Commission, and Trustees, **subject to staff comments**.

**Commission / Public Comments**

**Mr. Gladman made a motion for conditional approval of the text amendments to the Troy Twp. Zoning Resolution, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**04-03 ZON Berlin Twp. Zoning Commission – text amendments and Comprehensive Plan**

**Applicant:** Berlin Township Zoning Commission  
**Requests:** Text Amendments to the R-2 Residential District, Article VIII, section 8.02; map amendment to the Comprehensive Plan.

**I. General**

- A. The Berlin Township Zoning Commission initiated a revision to the R-2 District (section 8.02) to change the minimum lot size from 20,000 to 29,600 square feet.
- B. The Zoning Commission also initiated a revision to the 1999 Comprehensive Plan map to change the recommended density from 1.85 units per acre to 1.25 units per acre for those areas shaded in a yellow striped pattern that designate proposed suburban development served by centralized sewer service.
- C. The Zoning Commission initiated amendments to those respective text pages in the comprehensive plan that relate to the R-2 zone or to the comprehensive plan map areas for suburban development with sanitary sewer service. The page numbers are:

<u>Reference</u>	<u>Change from</u>	<u>Change To:</u>
• Page 8 Goal 3 Objective 2	1.85 units per acre	1.25 units/ac.
• Page 8 Goal 3 Objective 3	20,000	29,600
• Page 9 Goal 6 Objective 3	2 units/ac.	1.25 units/ac.
• Page 103 Item C. Part 2	2 unit/ac.	1.25 unit/ac.
• Page 109 Goal 3 Objective 2	1.85 units	1.25 units
• Page 109 Goal 3 Objective 3	20,000	29,600
• Page 110 Goal 6 Objective 3	2 units	1.25 units
• Page 114 October 1999 Comprehensive Plan map	1.85 unit/ac (legend)	1.25 unit/ac. (legend)
• 1" = 1000" October 1999 Comprehensive plan map	1.85 unit/ac.	1.25 unit/ac. (legend)
• Page 117 Planning Area 1,	1.85 units	1.25 units

Paragraph 2.

- Page 127 Planning Area 7C 1.85 units 1.25 units
- Page 128 Planning Area 7D 1.85 units 1.25 units
- Page 129 Planning Area 8 1.85 units 1.25 units
- Page 130 Planning Area 9 1.85 units 1.25 units
- Page 130 Item 14.4 1.85 units 1.25 units

**II. Staff Comments**

After the Berlin Township comprehensive Plan was adopted in 1999, neighbor Berkshire Township updated their comprehensive plan in 2001. Berkshire Township recommends 1.25 units per acre maximum for residential development in their suburban expansion area, much of which abuts Berlin Township. One subdivision has already been approved at 1.25 units per acre, and another is currently under review. Berlin Township agrees with that density and would like to be compatible with its neighbor. This is a matter of local choice. Since the Zoning Commission was unanimous in its decision, the areas affected are currently zoned FR-1 (one acre lots), and there is limited sewer service and low-density sewer design capacity in the areas in question, staff supports the local position.

**III. Findings and Recommendation**

- A. Staff finds that the Berlin Township text amendment to Section 8.02 changing minimum lot size from 20,000 square feet to 29,600 square feet is appropriate and **recommends approval** to the DCRPC, Berlin Township Zoning Commission, and Trustees.
- B. Staff finds that the amendment from 1.85 units per acre of suburban residential density to 1.25 units per acre in the 1999 Comprehensive Plan text and on the plan map is reasonable and recommends to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Board of Trustees that the 1999 Comprehensive Plan map legend be amended to change the density from 1.85 units per acre to 1.25 units per acre for new residential areas served by centralized sewer, as designated by the yellow striped pattern on the map.

**Commission / Public Comments**

*Mr. Gladman made a motion to recommend approval of the text amendments to the Berlin Twp. Zoning Resolution and amendments to the Berlin Twp. Comprehensive Plan. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**05-03 ZON      Andrzej Fryczkowski & Barbara Hanna – Liberty Twp. – 1.5  
from FR-1 to PC**

*\*\* The property owner has withdrawn the application for rezoning from the Township.*

**06-03 ZON      George & Alice Keller – Harlem Twp. – 20.619 acres from AR-1 to  
PRD**

**Location:** West side of Harlem Road, south of Woodtown Road, Harlem Township, by George and Alice Keller.

**I.                    Conditions**

- Present Zoning:** Agricultural and Residential AR-1
- Proposed Zoning:** PRD
- Present Use:** Vacant fields, woods and ravine
- Proposed Uses:** 31 single-family lots
- Existing Density:** 1-unit/ 5 acres in AR-1
- Proposed Density:** 1.5 units per acre (gross)
- School District:** Big Walnut
- Utilities Available-** Del Co Water, Delaware County sanitary sewer.
- Soils:**    CeB Centerburg 2-6% slope  
              BeA Bennington 0-2 % slope

**II.                    General comments**

- 1.)** This is the only tract of land in Harlem Township that can currently be served by Delaware County Sanitary sewer (by extension from Hoover Woods subdivision to the west). It also enjoys a very private densely wooded entrance that suggests an open space subdivision. The PRD is a viable alternative for this site because of these unique factors.

- 2.)** Because the 20.619-acre tract relates topographically to the 24-acre Church of Columbus tract to the south, the development plan correctly shows a stub street connection and a 60' Right of Way.
- 3.)** The loop street around the open space and the cul-de-sac are both low volume streets, and are shown as 50' right of way, which should be adequate.
- 4.)** The westerly road ends in a cul-de-sac with lots 24 and 25 extending west into Genoa Township. The applicant should check with Genoa Township about possible split-zoning issues. This land is zoned Rural Residential in Genoa Township, with a minimum lot size of 2 acres (.5 units/acre). It lies within the Planning Area II on the Genoa 1999 Comprehensive Plan, which would recommend a density of .66 units per acres if rezoned to PRD. A PRD rezoning in Genoa may be required.
- 5.)** Lot Layout- Stormwater retention basins are correctly located in open space reserves. Pathways link open space.

**III.                    Conformance with Local Comprehensive Plans**

The 1988 Harlem Township Comprehensive Plan recommends single family residential use for the subject tract. The township did not anticipate any centralized sewage disposal before the year 2010, so lots were anticipated to be large enough for on-site sewage disposal (generally greater than one acre). The use conforms to the comprehensive plan.

**IV.                    Conformance with PRD Development Standards**

- 1.)** Density- 1.5 units per acre with sanitary sewer conforms to the PRD standards
- 2.)** Minimum lot size- 13,000 square feet proposed, no minimum required.
- 3.)** Open space- .015 acre per dwelling unit required (.465 acres); 3.4 acres provided.
- 4.)** Front setback – 30' proposed, approvable per plan.
- 5.)** Side setback- 15'; 20' required unless side walls are masonry. May require a divergence or masonry walls.
- 6.)** Provisions for water, sanitary sewer and surface drainage. Del Co water is available to the site. Sanitary Engineer Jack Smelker confirms that sanitary sewer was designed to be extended from Hoover Woods subdivision to the west, and that capacity exists for this development. There is good drainage to on-site ravines; detention off-stream is shown on the plan.
- 7.)** Maximum Height 35', conforms to standard.
- 8.)** Building dimensions-Minimum 1800 square feet, conforms to standards.
- 9.)** Landscaping- an overall landscape plan is submitted, and standards are found in the text. Conforms to the intent of the standards.
- 10.)** Preservation of 6+% slopes- slopes are in yards or open space areas and need

not be overgraded.

- 11.) Parking- off-street parking and 480 square foot garages is required.
- 12.) Signs-references the township’s sign code.
- 13.) Architectural design criteria- numerous examples of typical home styles, adequately shown.
- 14.) Location of parks- open space is noted and adequate.
- 15.) Divergences- none requested, may need side yard divergence for non-masonry walls.

**V. Criteria for approval as a PRD**

- 1.) If the proposed development is consistent in all respects with the purpose, intent and general standards of the Zoning Resolution.  
*DCRPC Staff Finding: Yes*
- 2.) If the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.  
*DCRPC Staff Finding: Yes*
- 3.) If the proposed development advances the general welfare of the township and the immediate vicinity.  
*DCRPC Staff Finding: Yes*

**VI. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the zoning change from AR-1 to PRD to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees subject to the following:

- a.) Genoa Township must be consulted about the need to rezone their portions of lots 24 and 25.
- b.) Sewer must be extended to the site.
- c.) Side yard setback must be 20’ or masonry walls must be required, or a divergence given to 15’ proposed.

**Commission / Public Comments**

Mr. Jeff Strung of EMH & T was present to represent the applicant.

Mrs. Warthman stated that she has not reviewed this plan for compliance to the Genoa Twp. Zoning Resolution. Mr. Beaver a private owner in Genoa Twp. abutting these lots has informed her of a private deed agreement on this property that may restrict it. Further research is needed. Mr. Strung stated that he planned to submit this to Genoa Twp. after they felt comfortable that this project would be accepted in Harlem Twp.

**Mr. Gladman made a motion to recommend conditional approval of the rezoning request by George and Alice Keller, subject to staff and Genoa Twp. Zoning Officer**

*comments. Mr. Brenner seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Genoa Twp. and Harlem Twp.). Motion carried.*

**IV. SUBDIVISION PROJECTS**

**Preliminary**

**01-03 Farneman Estates – Concord Twp. - 02 lots / 07.80 acres**

**Applicant:** Roy and Virginia Farneman  
**Subdivision Type:** Single-family Residential (CAD)  
**Location:** East side of Dublin Rd (SR 745) 300’ north of Griffiths Ln, Concord Twp.  
**Current Land Use:** Single-family residential  
**Zoned:** Residential District, (R-2)  
**Utilities:** Del-Co water and private septic systems  
**School District:** Dublin  
**Engineer:** Patridge Surveying

**Staff Comments**

Farneman Estates is a proposed 2 lot CAD subdivision of 7.8 acres on the east side of Dublin Road (SR 745) between Cook Road and Griffiths Lane. The east end of the property abuts the O’Shaughnessy Reservoir. An existing house will remain on 3.97 acres while the new lot will contain 3.84 acres. The existing driveway, which crosses both lots, will be upgraded to meet CAD standards. A variance is requested for tree and shrub removal from 16’ feet of the CAD centerline. Both lots will be served by individual on-site septic systems and Del-co water. A portion of the east side of the subdivision lies within the 100-year floodplain, but both the existing and proposed houses are located outside the flood limits.

**A technical review was held on January 21, 2003, after which the applicant has addressed all of the required changes, except the following:**

- Show both the FEMA 100 year floodplain as delineated on the Flood Insurance Rate Map 195 and the flood plain determined by the Army Corp. of Engineers (855.8’)**

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of the **Farneman**

**Estates**, to the RPC, *subject to staff comments.*

Commission / Public Comments

Mr. Bob Patridge of Patridge Professional Surveyors was present to represent the applicant.

Mr. Ward asked if the driveway would stay in the current configuration? Mr. Patridge said the only change would be to widen the drive. A maintenance agreement must be recorded prior to RPC signature.

Mr. Laurien stated that the house is below the road grade and would not be visible due to the mature trees.

Mr. Patridge stated that there are underground utilities that run along the edge of the trees so the drive could not be located there.

*Mr. Cy Schmidt made a motion for conditional Preliminary approval, subject to staff comments. Seconded by Mr. Brenner. VOTE: Majority For, 1 Opposed (Jim Ward). Motion carried.*

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**23-02 T Sylvan Retreat – Concord Twp. - 11 lots / 28.09 acres**

**Applicant:** Dale and Diane Ladow  
**Consultant:** Floyd Browne Associates

Staff Comments

The applicant has requested a 90-day tabling in order to resolve platting and zoning issues. This is the second tabling request for Sylvan Retreat.

Staff Recommendation

Staff recommends *approval* of the 90-day table request for **Sylvan Retreat**, to the RPC.

Commission / Public Comments

*Mr. Ward made a motion to approve the 90-day table request for Sylvan Retreat, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**20-02 T Myers Glen – Delaware Twp. - 09 lots / 17.24 acres**

**Applicant:** Frank Goode  
**Consultant:** Floyd Browne Associates

Staff Comments

The applicant has requested a 90-day tabling in order to resolve sanitary sewer issues. This is the second tabling request for Myers Glen.

Staff Recommendation

Staff recommends *approval* of the 90-day table request for **Myers Glen**, to the RPC.

Commission / Public Comments

*Mr. Ward made a motion to approve the 90-day table request for Myers Glen subdivision, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**02-03.1/2 Walnut Grove Estates, Sections 1 & 2 – Genoa Twp. - 56 lots / 51.30 acres**

**Applicant:** Vince Romanelli  
**Subdivision Type:** Single-family Residential  
**Location:** East side of Worthington Rd, north side of Big Walnut Rd, Genoa Twp.  
**Current Land Use:** Single-family residential  
**Zoned:** Planned Residential District, (PD-1), with conservation standards  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** RD Zande

Adjacent Existing Land Use

West: Single family homes

North: 25 acres in large lots held by two owners, Buczkowski and Berlin, potential for re-division and future development.

South: Big Walnut Road, opposite the future Oaks of Highland Lakes subdivision  
East: 62.36 acre Vilardo tract, potential for future development.

**Staff Comments**

Walnut Grove Estates contains 56 lots on 51.3 acres. The subdivision includes access to Big Walnut Road and Worthington Road. Aras Boulevard aligns with the access to the Oaks at Highland Lakes on the south side of Big Walnut Road. Mahogany Drive is the main road serving the development extending to the east from Worthington Road and ending in a cul-de-sac. Ingalls Court and Oleson Court are 2 cul-de-sacs to the east. Thistledown Way stubs to the north property line for possible future development to the north. The subdivision includes 18.36 acres of open space in 7 reserve lots. A bike path will be constructed within the large open space reserve to the east. Walnut Grove Estates will be developed in 2 phases from east to west.

*A technical review was held on January 21, 2003, after which the applicant has addressed all of the required changes, except the following:*

- list side yard setbacks for lots not adjacent to open space.*

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of the **Walnut Grove Estates, Sections 1 & 2**, to the RPC, *subject to staff comments*.

**Commission / Public Comments**

Mr. David Fisher of Kephart & Fisher law offices was present on behalf of the applicant Vince Romanelli. He stated that they generally agree with staff recommendations and comments. The only concern they have is the connection street to the north. Earlier they submitted a plan that did not include that connection. He doesn't think this connection is necessary and would add additional traffic through this upscale subdivision to by pass the intersection at Worthington and Big Walnut Road. He suggested allowing that requirement for connection be left to the County Engineer for necessity.

Mr. Ward asked if the connection could be made on the eastside. Mr. Laurien stated that there have been discussions of an eastern connection but found that option unwarranted. Due to poor geometry a connection to the north from the cul-de-sac would take too much of the open space.

*Mr. Gladman made a motion for conditional Preliminary approval of Walnut Grove Estates, Sections 1 and 2 subject to staff comments. Mr. Brenner seconded the*

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

03-03

**Vinmar Farms – Genoa Twp. - 122 lots / 87.20 acres**

**Applicant:** Vinmar Investments

**Subdivision Type:** Single Family Residential

**Location:** West side of Old 3C Highway, North of Big Walnut Road

**Current Land Use:** vacant/former agricultural

**Zoned:** PD-1 (Planned Residential District)

**Utilities:** Del-Co Water, public sewer system

**School District:** Big Walnut

**Engineer:** EMH&T, Jeffrey A. Strung

**Staff Comments**

Vinmar Farms is a three-phase subdivision on a relatively flat parcel with an intermittent stream crossing the northeast corner of the site and into the Hoover Reservoir to the east. The site is accessed at one point, Vinmar Way, from South Old 3C Highway, just south of the current intersection of Tussic Street Road and Old 3C. Although the preliminary plan shows a location for the entrance, the specific placement of the intersection has not been determined. It will either be aligned with the current intersection of Tussic and Old 3C or Tussic will be realigned to meet the entrance shown on the plan. EMH&T is looking at both locations to determine which is best. The engineer has agreed to add wording to the preliminary plan that acknowledges the County Engineer will have final approval as to the entrance location.

The plan includes a large loop street, Marrissey Loop, two small loops, Chimera and Presidium, and two cul-de-sacs, Seraphim Court and Mirliton Court. Two reserves flank Old 3C Highway, which effectively provides a 200' setback for the first homes. The reserve in the northeast corner shall serve as drainage for adjacent properties. Reserves are located in the center of the site and also within each small loop street. A large reserve is located along the western portion of the site at State Route 3. A bike trail connects the loop street with the Genoa Township bike trail system along S.R. 3. A connection is provided to undeveloped land to the north via an extension of Chimera Loop.

*A technical review was held on January 21, 2003, after which the applicant*

*has addressed all of the required changes except:*

1. Add a note that the bike path and pedestrian paths are to be constructed by the developer.
2. Note the ownership and maintenance of the open spaces and reserves.
3. Note that all structures are to be razed.

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of Vinmar Farms to the RPC, *subject to staff comments from the technical review and a note being added that states the County Engineer shall approve the final location of the entrance intersection.*

**Commission / Public Comments**

Mr. Jeff Strung of EMH & T was present to represent the applicant. He stated that note L, B and M on the revised plans submitted address the 3 technical review comments. He agreed to add a note that the County Engineer shall approve the final location of the entrance intersection.

Mr. Ward asked why there were no connections to the south? Mr. Laurien stated that the tract to the south was long and skinny and was probably undevelopable.

Mrs. Warthman stated that there is a path system that is missing on this plan. The path should be required to be installed by the developer as shown on the final development plan and be maintained by the future homeowners association. Also missing is that the developer must agree to enclose the ditch on Old 3 C with improvements to the intersection.

Mr. Laurien stated that the developer might wish to consider a boulevard entrance for safety reasons.

***Mr. Ward made a motion for conditional approval of Vinmar Farms, subject to: (1.) staff comments, (2.) requiring a boulevard entrance, (3.) paving the emergency access, (4.) working with the County Engineer on road alignments, and (5.) Mrs. Warthman's comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**18-02     W/D     Big Bear Farms, Section 10- Liberty Twp. - 06 lots / 28.90**

**acres**

*\*\*The application has been withdrawn by the applicant.\*\**

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**Preliminary/Final**     (*none*)

**CONSENT AGENDA**

Chairwoman Foust asked the Commission if they wished to remove any of the final applications from the agenda. ***Mr. Gladman made a motion for Final approval of Maxwell Acres, Sheffield Park, Section 1, Phase A, and North Orange, Section 2, Phase 2, Parts A and B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**Final**

**24-02                     Maxwell Acres – Genoa Twp. -02 lots / 05.14 acres**

**Applicant:** Michael Martin  
**Subdivision Type:** Single-family Residential (CAD)  
**Location:** South side of Plumb Road 1500' west of Rome Corners Rd., Genoa Twp.  
**Current Land Use:** Single-family residential  
**Zoned:** Rural Residential District, (RR)  
**Utilities:** Del-Co water and private septic systems  
**School District:** Big Walnut  
**Engineer:** Hoy Surveying

**Staff Comments**

Maxwell Acres is a proposed CAD subdivision containing 2 lots on 5.14 acres. An existing house will remain on 2.9 acres to the rear. The remaining 2 acres along Plumb Road will own the CAD to allow more room for the secondary leach field in the front yard of the rear lot. Both lots will be served by Del-Co water and individual on-site septic systems. The subdivision received preliminary approval October 31, 2002.

The surrounding land use is mostly large lot residential along Plumb Road in Genoa Township (south side of Plumb Road) and Berkshire Township (north side of Plumb Road). The proposed Hickory Woods subdivision (14 lots/33

acres) is located to the immediate west. The property and surrounding area in Genoa is zoned Rural Residential, which requires a 2-acre minimum lot size. The land in Berkshire is zoned Farm Residential (1-acre minimum) and Agricultural (5-acre minimum).

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

**Staff Recommendation**

Staff recommends *Final approval* of the **Maxwell Acres Subdivision**, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Maxwell Acres. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**19-01.1.A Sheffield Park, Section 1, Phase A – Genoa Twp. - 46 lots / 31.62 acres**

**Applicant:** Virginia Homes  
**Subdivision Type:** Single Family Residential  
**Location:** West side of Worthington Road, north of Jaycox Road, Genoa Twp.  
**Current Land Use:** Agriculture and two Single-family homes  
**Zoned:** Planned Residential District (PD-1)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** CF Bird & RJ Bull, Inc.

**Surrounding land uses**

**West** – Future phases of Sheffield Park, I-71  
**East** – Future Sheffield Park open space to be dedicated to Genoa Twp., and large vacant tracts owned by Genoa Baptist Church  
**North** – Large-lot Single-family homes, agriculture and woods  
**South** – Single-family homes

**Staff Comments**

Sheffield Park Section 1, Phase A includes 46 lots on 31.62 acres on the west side of Worthington Road north of Jaycox Road. Access will be via a new limited

access collector street (Sheffield Park Drive) extending west from Worthington Road that will eventually connect to Jaycox Road. Streets connecting to Sheffield Park Drive include Rammelsberg Drive, which extends north to the north property line, and Normandy Drive, a loop street to the south. Normandy Drive also extends to the north to connect with Mingo Drive. Bailey Circle is an “eyebrow” serving 4 lots. Open space (6.15 acres) is provided around the perimeter in 2 reserve lots and will include a bikepath. Stormwater retention is provided just to the west of the platted section but easements will be recorded with this plat. The Rammelsberg residual 6 acre tract to the north and open space on the east side of Worthington Road will be platted in Section 1, Phase B. The overall preliminary for Sheffield Park was approved in September 2001.

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

**Staff Recommendation**

Staff recommends *Final approval* of Sheffield Park Section 1, Phase A to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Sheffield Park. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**24-99.1 Seldom Seen Acres, Section 1(resubd.) – Liberty Twp. - 04 lots / 46.69 acres**

**Applicant:** SSA  
**Consultant:** CF Bird and Bull, Inc.

**Staff Comments**

The applicant has requested a 30-day tabling in order to resolve engineering and zoning issues.

**Staff Recommendation**

Staff recommends *approval* of the 30-day table request for Seldom Seen Acres, Section 1 (resubd.), to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion to approve the 30-day table request for Seldom Seen Acres, Section 1 (resubd.), seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*



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**47-00.2.2.A/B North Orange, Sec. 2, Ph. 2, Part's A & B – Orange Twp. –  
54 lots / 26.57 acres**

**Applicant:** Planned Communities, Inc.  
**Subdivision Type:** Single Family Residential  
**Location:** West side of US Route 23, North side of Orange Rd., Orange Twp.  
**Current Land Use:** Agricultural/Woods  
**Zoned:** SFPRD  
**Utilities:** Del-Co water and Delaware County Sanitary Sewer  
**School District:** Olentangy  
**Engineer:** Floyd Brown Associates

**Staff Comments**

North Orange, Section 2, Phase 2, Part A & B contain 54 lots on 26.57 acres. It includes the northern and then western extension of Overland Trail from Section 2, Phase A and ends in a cul-de-sac. Several stub streets will be extended into future phases to the north and south. A 0.742-acre open space/no build reserve is provided near the northwest corner. This plat includes 2 Parts because the road construction could not be completed due to inclement weather. Part A improvements are complete. Building permits will not be issued for Part B until the improvements are completed and accepted by the County.

Preliminary approval for North Orange was given on December 28<sup>th</sup>, 2000. The overall North Orange subdivision includes commercial in the northeastern portion of the site, in the center of the site, and a strip approximately 500 feet parallel to US 23. 43.646 acres of park/open space will be dedicated in the center. Single family residential is proposed in the western area of the site. There are also two large lots delineated for 191 units of detached single unit condominiums.

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

**Staff Recommendation**

Staff recommends *Final approval* of **North Orange, Section 2, Phase 2, Part A & B** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval North Orange, Section 2, Phase 2, Parts A and B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**V. EXTENSIONS** (none)

**VI. OTHER BUSINESS**

• **Executive Director's Annual Evaluation**

Chairwoman Foust stated that the Executive Committee completed Mr. Laurien's annual review and has prepared a recommendation for merit raise. Chairwoman Foust read a list of overall performance comments and goals for the next evaluation period. She stated that the Executive Committee recommended the full 5% salary increase that was allowed for as part of the 2003 budget. Mr. Laurien continues to not only meet, but exceed all responsibilities and goals of the DCRPC as well as those he sets for himself.

*Mr. Brenner made a motion to approve the 5% salary increase for Mr. Laurien, seconded by Mr. Poland. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). VOTE: Unanimously For, 0 Opposed. Motion carried.*

• **Consideration for Approval: 2003 Liability Insurance \$8,278.00**

*Mr. Spanner made a motion to approve the insurance expenditure of \$8278.00, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

• **Consideration for Approval: Gardner Architects \$1,288.00**

*Mr. Ward made a motion to approve the architect's expenditure of \$1288.00, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

• **Office Space Update**

Mr. Laurien stated that wiring and new plumbing has been completed. Painting should begin next week. Things are on time and under budget.

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

Having no further business, *Mr. Baker made a motion to adjourn the meeting.*  
*Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed.*  
*Motion carried.*

Meeting adjourned at 8:45 p.m.

*The next meeting of the Delaware County Regional Planning Commission  
will be Thursday, February 27, 2003, 7:00PM at the Delaware Hayes  
Services Building, 140 N. Sandusky Street, Conference Room G-35,  
Delaware, Ohio 43015.*