



# Delaware County Regional Planning Commission

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

Scott B. Sanders, AICP, Executive Director

## *\*MINUTES\**

Thursday, December 20, 2007 at 7:00 PM  
Delaware Hayes Services Building,  
140 N. Sandusky Street, Room G 35, Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of November 29, 2007 RPC Minutes
- Executive Committee Minutes of December 12, 2007
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

- 33-07 ZON      Fredda Sanders – Harlem Twp. – 4.652 acres from AR-1 to FR-1  
 34-07 ZON      Harlem Twp. Zoning Com. – text amendments (Articles IV, V, VII, VIII, IX, XVII, XXI, XXVII)  
 35-07 ZON      Troy Twp. Zoning Commission – text amendments (XXI, XXII, XXIII)

### IV. SUBDIVISION PROJECTS

		Township	Lots/Acres
<b><u>Preliminary</u></b>			
20-05	Clear Creek	Orange	04 lots / 85.425 acres

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

#### **Final**

22-06.1	Hidden Creek Estates, Section 1	Berkshire	20 lots / 15.587 acres
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**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS

19-05	Ravines at Meadow Ridge	Berlin	03 lots / 55.902 acres
27-03.2	Northstar, Section 2	Kingston	01 lot / 93.18 acres

### VI. OTHER BUSINESS

- Consideration for approval: Transfer of fees collected for Health Dept \$3,490.00 and SWCD \$4,300.00

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

### VIII. RPC STAFF AND MEMBER NEWS *(none)*

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

*Representatives:* Rick Sedlacek, Fred Fowler, Steve Burke, Gary Gunderman, Bob Talbott, Holly Foust, Charles Heimlich, Dick Gladman, Lloyd Shoaf, Tom Brown, Tom Zalewski, Bonnie Newland and Doug Price.

*Alternates:* David Leitch, Doug Riedel, Susan Dorsch, and Yvonne Clippinger. *Staff:* Scott Sanders, Paul Deel, Da-Wei Liou, and Stephanie Matlack.

▪ **Approval of the November 29, 2007 RPC Minutes**

***Mr. Shoaf made a motion to approve the minutes from the last meeting, seconded by Mr. Sedlacek.***

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

▪ **December 12, 2007 Executive Committee Minutes**

**1. Call to order**

Vice Chairperson Steve Burke called the meeting to order at 8:45 a.m. *Present:* Steve Burke, Lloyd Shoaf, and Dick Gladman. *Staff present:* Scott Sanders and Stephanie Matlack. *Absent:* Holly Foust and Jim Ward.

**2. Approval of Executive Committee Minutes**

**a. November 21, 2007 – *Mr. Gladman made a motion to approve the minutes of the last meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**3. Old Business**

**a. Contracts**

**1.) Berkshire Twp.** – comprehensive plan final drafts have been delivered

**2.) Harlem Twp.** – Trustees to possibly initiate adoption of comprehensive plan update in January

**4. New Business**

**a. Financial / Activity Reports for November 2007**

REGIONAL PLANNING RECEIPTS		NOVEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$820.00	\$8,610.00
Fees A (Site Review)	(4202)	\$250.00	\$1,800.00
Insp. Fees (Lot Line Transfer)	(4203)	\$80.00	\$680.00
Membership Fees	(4204)		\$235,269.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,662.25	\$14,345.57
Assoc. Membership	(4206)		\$1,500.00
General Sales	(4220)	\$52.50	\$991.90
Charges for Serv. A (Prel. Appl.)	(4230)	\$9,974.80	\$38,764.46
Charges for Serv. B (Final. Appl.)	(4231)	\$8,475.00	\$56,976.51
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$2,140.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$2,400.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)	\$50.00	\$2,390.00
Soil & Water Fees	(4243)	\$500.00	\$4,300.00
<b>MISCELLANEOUS REVENUE</b>			

Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$202.86	\$1,602.43
Misc. Non Revenue Receipts	(4733)		
<b>TOTAL RECEIPTS</b>		\$22,567.41	\$37,669.87

Balance after receipts \$109,296.86  
 Expenditures - \$ 31,426.44  
 End of November balance \$ 77,870.42

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

- b. **December RPC Preliminary Agenda** –includes 1 rezoning and 2 text amendments, 1 preliminary, 1 final and 2 extension requests.
- c. **Logan County GIS work** – Mr. Sanders explained that the Logan Union and Champaign County Regional Planning Commission may receive a grant for GIS work in Logan County. He has met with Jenny Snapp, Exec. Director, LUCRPC, regarding the possibility of joining the DCRPC as an Associate member for GIS assistance.
- d. **Consideration for recommendation of approval: fee transfer**
  - 1.) **Health Dept. - \$3,490.00**
  - 2.) **SWCD - \$4,375.00**

Mr. Sanders explained that this money is collected for the Health Dept. and SWCD on their behalf for Sketch plan and Preliminary plan applications. Mrs. Matlack has confirmed with those departments the total to be transferred after the full Commission vote at the December 20<sup>th</sup> RPC meeting.

*Mr. Gladman made a motion to recommend approval of the fee transfer of \$3,490.00 to the Health Dept. and \$4,375.00 to the SWCD. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- 5. **Other Business** (none)
- 6. **Personnel** (none)
- 7. **Adjourn** – Having no further business, *Mr. Gladman made a motion to adjourn the meeting at 9:20 a.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next Executive Committee meeting will be Wednesday, January 23, 2008 at 8:30 a.m. at 109 North Sandusky Street, 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 *(none)*

## III. ZONING MAP/TEXT AMENDMENTS

### 33-07 ZON Fredda Sanders – Harlem Twp. – 4.652 acres from AR-1 to FR-1

#### I. Request

The applicant is requesting a rezoning from AR-1 to FR-1 for the purpose of subdividing 4.652 acres into 2 lots.

#### II. Conditions

- Location:** 11355 Thornbrook Drive, Harlem Township
- Present Zoning:** Agricultural Residential (AR-1)
- Proposed Zoning:** Farm Residential (FR-1)
- Present Use(s):** Residential
- Proposed Use(s):** Residential
- Existing Density:** 1 du / 5 acres in AR-1
- Proposed Density:** 1 du / 2 acres in FR-1
- School District:** Big Walnut Local School District
- Utilities Available:** Private wells and on-lot treatment systems
- Critical Resources:** Ravine/stream along north property line
- Surrounding land uses:** Residential & agricultural.
- Soils:** SkA: Sloan Silt Loam (1 to 2% slope, occasionally flooded)
  - AmF: Amanda Silt Loam (25 to 50% slope)
  - LsA: Lobdell Channery - Sloan Complex (0 to 2% slope)
  - SsA: Smothers Silt Loam (0 to 2% slope)
  - SsB: Smothers Silt Loam (2 to 4% slope)
  - LyB: Loudonville Silt Loam (2 to 6% slope)

#### III. Staff Comments

This request would allow the applicant to split a 4.652 acre lot on the north side of Thornbrook Drive. The lot is currently nonconforming, presumably because of Thornbrook Drive right-of-way dedication. A survey sketch submitted with the application shows a 2.32 acre lot, which would contain an existing residence, and a 2.332 acre lot. If the rezoning is approved the applicant will submit a “no plat” subdivision to create the lots. The applicant should consult with the Health Department to assure that there is adequate area for on-lot waste treatment systems.

The Harlem Township Comprehensive Plan recommends residential at 1 unit/2 acres for this area. The proposed zoning district would conform to the Comp Plan.

Surrounding land uses include single-family homes along Thornbrook Drive some of which are on lots less than 5 acres and zoned FR-1. The proposed zoning would be in character with the area, if on-lot treatment can be designed.

#### IV. Staff Recommendations

Staff recommends **Approval** of the rezoning from AR-1 to FR-1 for Fredda Sanders to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

#### Commission / Public Comments

Mr. Dave McCoy with Hoy Surveying was present to represent the applicant.

**Mr. Gladman made a motion to recommend approval of the rezoning request by Fredda Sanders. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**34-07 ZON      Harlem Twp. Zoning Com. – text amendments (Articles IV, V, VII, VIII, IX, XVII, XXI, XXVII)**

**I. Introduction:** The Zoning Commission initiated several changes to the township’s zoning text, to be discussed at a December 26, 2007 hearing. Many of these changes are grammatical. However, the substantive changes include, along with staff’s comments, the following:

- Rewording the section that generally describes all the districts.
- Adding the words “non-commercial” to the playgrounds and playfields which are Conditional Uses in the AR-1 district.

**Staff comment:** *This is based on concerns over recent plans to build major athletic facilities through the Conditional Use process.*

- Adding a definition to the Section 8.02 (FR-1 Application).

**Staff comment:** *The first paragraph of this section seems to fit better under “Purpose” and duplicates lot size, which is covered under 8.06 – Development Standards. It also uses the phrase “non-urban”, which is unclear and subjective.*

- Adding a definition to the Section 9.02 (R-2 Application) similar to those above.

**Staff comment:** *See comments above. Also check spelling of “Article” at the top of 901 and remove the “s” from the end of “Purposes”.*

- Redefines manufactured/mobile homes permitted in this and other districts

**Staff comment:** *Staff recently worked with Berlin Township on the following language, which is only slightly different than the proposed Harlem text:*

Temporary structures such as manufactured/mobile homes, or mobile offices, and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent dwelling is being constructed. The user of said structure shall obtain a permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice **for a total combined period of time under all issued permits not exceeding eighteen (18) months.** Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, **solid waste disposal** and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit.

- Section 17.01 Industrial District removes the words “general welfare morals” from the Purpose section.

**Staff comment:** *Removing General Welfare is appropriate in any district that is not a Planned District (PUD). However, “morals” may be included with “health and safety,” particularly in this case where Adult Use regulations are being added.*

- Sexually-Oriented Business regulations are being added as a Conditional Use in the Industrial District.  
**Staff comment:** *This concurs with the model regulations recently formulated by staff. Such regulations in the Zoning Resolution should work in conjunction with regulations for sexually-oriented businesses which can be adopted by township trustees as a separate ordinance. The state Attorney General provides a model code. Staff notes that there is no definition of “Sexually-Oriented Business” in the Definitions section of the township zoning code although there are similar definitions. The township may wish to consult ORC 2907.39 and ensure all definitions in that section match their code.*

- Includes language requiring access to swimming pools to comply with Delaware County Building Regulations.

**Staff comment:** *Staff concurs. Other townships may wish to review this subject in their codes as well.*

- Limits driveways on contiguous flag lots on state or county road. Limits driveways on contiguous flag lots on other roads to two (2).

**Staff comment:** *This regulation seems to either reduce the number of flag lots or reduce one of the negative aspects of flag lots – adjacent driveways. It isn’t likely to reduce the number of flag lots, and the township may have trouble enforcing a regulation that requires two adjacent lots to share a driveway access outside of the platting process. This may be a compromise that is more politically acceptable to the township. However, some townships limit the number of adjacent 60’ strips which is a more effective approach. Harlem Township may wish to do this also, since the proposed language could be used for lots that already exist.*

- Defines the time periods for amendment notices and mailing notices

**Staff comment:** *Brings code into compliance with current law*

- Corrects grammar of ten “or fewer” parcels

**Staff comment:** *Staff concurs with corrected grammar, but for reference, the original “ten or less” comes from the ORC.*

## **II. DCRPC Staff Recommendation**

Staff recommends **Conditional Approval** for the proposed text changes in the township’s zoning code to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees, *subject to the comments in this report. Staff also recommends the township request the County Prosecutor’s staff to review these changes.*

### **Commission / Public Comments**

**Mr. Gladman made a motion to recommend conditional Approval of the text amendments for Harlem Twp. Subject to staff comments. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**35-07 ZON      Troy Twp. Zoning Commission – text amendments (XXI, XXII, XXIII)**

**Applicant:** Troy Township Zoning Commission

**Request:** Review and comment on proposed text amendments

**I.            General**

The Troy Township Zoning Commission has initiated text amendments to Article XXI General Development Standards, XXII Signs and Billboards Regulations, and XXIII Landscaping. These are “housekeeping” items which include formatting and clarification of existing language. No zoning map changes are proposed.

**II.            Staff Recommendation**

Staff recommends **Approval** of the proposed text amendments to the DCRPC, Troy Township Zoning Commission, and the Troy Township Trustees.

**Commission / Public Comments**

***Mr. Sedlacek made a motion to recommend approval of the text amendments for Troy Twp. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***



**IV. SUBDIVISION PROJECTS**

**Preliminary**

**20-05              Clear Creek – Orange Twp. - 04 lots / 85.425 acres**

**Applicant:** Portland Company

**Subdivision Type:** Commercial/Condominium

**Location:** West side of U.S. 23, south of Home Road, Orange Twp.

**Current Land Use:** Vacant and single family residence.

**Zoned:** Planned Commercial (PC), Multi-Family Planned Residential (MFPRD), and Farm Residential (FR-1)

**Utilities:** Del-Co water and public sanitary sewer

**School District:** Olentangy

**Engineer:** Floyd Browne Group

**I.            Staff Comments**

Clear Creek was originally approved in June of 2005. It has received multiple extensions and is due to expire this month. Since an additional 2.235 acres is being added to the development, a new preliminary plan is being submitted for approval.

The proposed development includes the extension of Gooding Boulevard through the property to the north and the relocation of Home Road. The existing traffic signal at Home Road and U.S. 23 will be relocated to the new intersection, allowing additional spacing between it and the signal at Lewis Center Road. Three large commercial lots will be platted. End users have not been identified at this time but there will likely be the division of outlots as the area develops. Access to Home Road and U.S. 23 will be limited to specific locations.

A condominium lot south of the wooded ravine and west of Gooding Boulevard is also being platted. The additional acreage to the northwest is currently zoned FR-1 and is shown as a buffer/green space on the plan.

*A technical review was held on December 11, 2007, after which the applicant has addressed all of the required changes.*

**II. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Clear Creek** to the RPC.

**Commission / Public Comments**

Ms. Jennifer Ross with Floyd Browne Group was present to represent the applicant.

Mr. Gladman stated that the FR-1 lot was withdrawn from the requested zoning. It is still zoned FR-1 along with the 20 foot strip that goes along the west side of the site with the remaining area as PC.

*Mr. Gladman made a motion for Preliminary approval of Clear Creek. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final**

**22-06.1 Hidden Creek Estates, Section 1 – Berkshire Twp. - 20 lots / 15.587 acres**

**Applicant:** Hidden Creek South, LLC.

**Subdivision Type:** Single-family residential

**Location:** East side of S. 3 B's & K Road, adjacent to I-71, south of Falling Meadows Drive, north of Dustin Road, Berkshire Township

**Current Land Use:** Single-family residential and Agriculture

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

**Utilities:** Del-Co water and public sanitary sewer

**School District:** Olentangy

**Engineer:** Hockaden & Associates, Inc.

**I. Staff Comments**

Hidden Creek Estates, Sections 1 contains 20 lots on 15.587 acres. Access is provided from South 3 B's and K Road via Sparks Drive. Killdeer Place extends from the north property line to the south. There are 2 reserves in this section providing perimeter open space. A walking path will be provided within the open space around proposed retention ponds. The house lots are generally 10,000 s. f. (80' x 135') and will have direct access to the open space.



Surrounding land uses include the single-family subdivisions of Killdeer Meadows to the north, Harbor Pointe (Berlin Twp.) to the west, and an 89 acre parcel to the south owned by Olentangy Local Schools. The preliminary plan was approved in September 2006 for Hidden Creek Section 1-4 (106 lots / 86.00 acres).

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 **Hidden Creek Estates, Section 1** to the DCRPC.

**Commission / Public Comments**

*Mr. Ward made a motion for Final approval of Hidden Creek Estates, Section 1. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. EXTENSIONS**

**19-05 Ravines at Meadow Ridge – Berlin Twp. - 03 lots / 55.902 acres**

**Applicant:** Village Communities

**Engineer:** Floyd Browne Group

**Preliminary approval:** 6-30-05

**Extensions granted:** 6-29-06 to 12-21-06, 12-21-06 to 6-28-07, 6-28-07 to 12-20-07

**I. Staff Comments**

The applicant has requested a fourth 6-month extension to meet the Delaware County Engineer and Sanitary Engineer requirements for approval. The applicant has assured Staff that engineering is close to being approved and that this will be the last extension requested.

**II. Staff Recommendation**

Staff recommends *Approval* of the 6-month extension for **Ravines at Meadow Ridge** with the understanding that this would be the last extension recommended to the RPC.

**Commission / Public Comments**

*Mr. Gunderman made a motion to approve the extension request for Ravines at Meadow Ridge with the understanding that this would be the last extension approved by the RPC for this project. Mr. Brown seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**27-03.2 Northstar, Section 2 - Kingston Twp. - 01 lot / 93.18 acres**

**Applicant:** Robert Weiler

**Consultant:** Jeffrey Strung, EMH & T

**Preliminary approval:** 12-29-05

**Extensions granted:** 11-30-06 to 6-28-07, 6-28-07 to 12-20-07

**I. Staff Comments**

The applicant stated they are currently in the process of finalizing final engineering and construction. They foresee submitting the final plat for RPC approval in the Spring of 2008. The applicant has assured Staff that this will be the last extension requested.

**II. Staff Recommendation**

Staff recommends *Approval* of the 6-month extension for **Northstar, Section 2** to the RPC with the understanding that this would be the last extension recommended to the RPC.

**Commission / Public Comments**

*Mr. Gunderman made a motion to approve the extension request for Northstar, Section 2 with the understanding that this would be the last extension approved by the RPC for this project. Mr. Brown seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VII. OTHER BUSINESS**

- Consideration for approval: Transfer of fees collected for Health Dept \$3,490.00 and SWCD \$4,300.00  
*Mr. Gladman made a motion to approve the transfer of fees of \$3,490.00 to the Health Dept. and \$4,300.00 to the SWCD for fees collected on their behalf. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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

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

*At 7:25 p.m., Mr. Sedlacek made a motion to adjourn the meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, January 31, 2008, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.***

