

# Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 www.dcrpc.org  
Scott B. Sanders, AICP Executive Director



## *\*MINUTES\**

Thursday, January 30, 2020 at 6:30 PM  
Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of December 19, 2019 RPC Minutes
- Executive Committee Minutes of January 22, 2020
- Statement of Policy

### POLICY / EDUCATION DISCUSSION

- Mike Ringle, Delaware County Treasurer, Land Bank discussion

### VARIANCES

- 02-17.V Northstar, Section 1, Phase B – Berk. Twp. – requesting additional extension (1 year)  
04-16.V Harvest Curve – Lib. Twp. – requesting additional extension (2 years)

### EXTENSIONS

- 03-18 Maple Glen – Berlin Twp. – requesting a 1 year extension  
01-18 Grace’s Place – Genoa Twp. – requesting a 90 day extension

### ZONING MAP/TEXT AMENDMENTS

- 01-20 ZON Stella Garrabrant Trustees – Harlem Twp. – 15.123 acres from AR-1 to FR-1  
02-20 ZON Linda Nisbet, Trustee – Berkshire Twp. – 9.043 acres from A-1 to FR-1

### SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
33-19	Longhill Farms at Berlin	Berlin	482 lots / 278.81 acres
02-20	Scioto Reserve Extension	Concord	14 lots / 07.90 acres

#### Final

01-20	Cheshire Cove, Sec. 2, Lot 1310 easement vacation	Berlin	01 lot / 0.003 acres
-------	---	--------	----------------------

### OTHER BUSINESS

- Consideration for Approval: Liability Insurance \$8,107.00

### RPC STAFF AND MEMBER NEWS

- Jonathan Miller earned his AICP certification (American Institute of Certified Planners) in December 2019

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 6:30 p.m.

▪ **Roll Call**

Representatives: David Weade, David Loveless, Ric Irvine, Fred Fowler, Gary Merrell, Tammy Noble, Jill Love, Joe Shafer, Matt Kurz, Dave Stites, Charles Hurt, Michelle Boni, James Hatten, Dan Boysel, Herb Ligocki, Josh Vidor, Bonnie Newland, and Mike Dattilo. Alternates: Cheryl Friend, Dustin Kent, John Piccin, Hal Clase and Richard Lehner. Arrived after roll call: Barb Lewis (R). Staff: Scott Sanders, Jonathan Miller, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the December 19, 2019 RPC Minutes**

*Mr. Clase made a motion to Approve the minutes from the December meeting. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **January 22, 2020 Executive Committee Minutes**

1. **Call to order**

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Gary Merrell, Mike Frommer, Susan Kuba and Michele Boni. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from December 10, 2019**

*Mr. Merrell made a motion to Approve the minutes from the last meeting. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Miss Boni). Motion carried.*

3. **New Business**

- Financial / Activity Reports for December 2019

REGIONAL PLANNING RECEIPTS		DECEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$12,490.00
Fees A (Site Review)	(4202)		\$9,600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$3,400.00
Membership Fees	(4204)		\$236,547.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$1,394.34
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$3.25
Charges for Serv. A (Prel. Appl.)	(4230)		\$212,936.40
Charges for Serv. B (Final. Appl.)	(4231)	\$500.00	\$66,571.60
Charges for Serv. C (Ext. Fee)	(4232)		\$750.00
Charges for Serv. D (Table Fee)	(4233)	\$600.00	\$3,200.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$4,000.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$6,000.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		\$16,320.00
Soil & Water Fees	(4243)		\$10,500.00
Commissioner's fees	(4244)		\$0.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$176.46
Other Reimbursements A	(4721)		\$0.00
Other Misc. Revenue (GIS maps)	(4730)		\$383.75
Misc. Non-Revenue Receipts	(4733)		\$0.00
Sale of Fixed Assets	(4804)	\$205.00	\$0.00
<b>TOTAL RECEIPTS</b>		<b>\$2,105.00</b>	<b>\$584,272.80</b>

Balance after receipts	\$1,118,113.13
Expenditures	<u>        \$ 63,035.82</u>
End of December balance (carry forward)	\$1,055,077.31

*Mrs. Kuba made a motion to Approve the Financial reports as presented, subject to Audit. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Consideration for recommendation of Approval: Liability Insurance  
 Mr. Sanders explained that the 2020 premium for liability insurance is \$8,107.00. He noted that this was a 4% increase from last year. An option was provided to reduce the amount by \$168 for deleting the malicious act coverage. Mr. Merrell suggested talking with Dawn Huston with Delaware County for a recommendation on deleting that coverage.

*Mr. Merrell made a motion to recommend Approval of up to \$8,107.00 for liability insurance. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- January RPC Preliminary Agenda

- 1.) CONSENT AGENDA
 

	Township	Lots/Acres
• Cheshire Cove, Sec. 2, Lot 1310 easement vacation	Berlin	01 lot / 0.003 acres
  
- 2.) VARIANCES
  - Northstar, Section 1, Phase B - Berk. Twp. - requesting additional 1 year extension
  - Harvest Curve - Lib. Twp. - requesting additional 2 years extension
  
- 3.) EXTENSIONS
  - Maple Glen - Berlin Twp. - requesting a 1 year extension
  - Grace's Place - Genoa Twp. - requesting a 90 day extension
  
- 4.) ZONING MAP/TEXT AMENDMENTS
  - Stella Garrabrant Trustees - Harlem Twp. - 15.123 acres from AR-1 to FR-1
  - Linda Nisbet, Trustee - Berkshire Twp. - 9.043 acres from A-1 to FR-1

5.) SUBDIVISION PROJECTS	Township	Lots/Acres
<u>Preliminary</u>		
• Longhill Farms at Berlin	Berlin	482 lots / 278.81 acres
• Scioto Reserve Extension	Concord	14 lots / 07.90 acres

- Director’s Report

- 1.) **Trail Committee** – met on 12/17, needed to work on changes to the grant program, and how to work through the contracts next year.

Also, we have access to a new aerial from the state (OGRIP) that will allow us to update the trail data.

- 2.) **County GIS Users** – Hosted group of internal County GIS users here on 1/14.
- 3.) **Zoning Inspectors** – scheduled three meetings this year – 1/29, 5/27, 10/28.
- 4.) **2020 Census** – Major e-mail went out to all Directors and Elected Officials, also forwarded to the Complete Count Committee. Some materials are now available from census.gov. Planning a meeting in February to continue to discuss “difficult to reach” populations. Info will go out soon to all jurisdictions for placement in media.
- 5.) **Trakit** – We will continue to track activity also through our public GIS maps.
- 6.) **Harlem Comp Plan** – Jonathan continues to meet with the Steering Committee and has all the background chapters ready to present as needed;
- 7.) **Kingston Comp Plan** – complete with background information – will set up a meeting in February or March to begin going through chapters.
- 8.) **GIS Intern**– advertised opening to the Central Ohio GIS users group.
- 9.) **DACC remodel** – Scott Stephens (Soil and Water) and I were talking about document storage. Have set up a meeting with Chris Shaw at the Records Center to discuss shredding, scanning, keeping, etc. High-density storage is an important issue for us but M+A hasn’t provided detail yet.
- 10.) **23 Corridor Branding meeting** – Attended kickoff meeting on January 16.
- 11.) **Data** – Updated the Community Profiles with Building Permit numbers.
- 12.) **GIS** – updating all Zoning Maps with slightly new layout, more consistency across communities.

*At 10:45 a.m., Mrs. Kuba made a motion to go into Executive Session per ORC 121.22 (G) (1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee. Mr. Merrell seconded the motion.*

*Roll call vote: Mr. Merrell, Aye, Miss Boni, Aye, Mrs. Kuba, Aye, Mr. Stites, Aye. Motion carried.*

*At 11:05 a.m. Mrs. Kuba made a motion to return to regular session, seconded by Miss Boni. VOTE: Unanimously For, 0 Opposed. Motion carried.*

4. Old Business (none)
5. Other Business (none)
6. Personnel (none)
7. Adjourn

*Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 11:05 a.m. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, February 19, 2020 at 8:45 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 comment followed by questions from 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.

## **POLICY / EDUCATION DISCUSSION**

- Mike Ringle, Delaware County Treasurer, Land Bank discussion

Land banks are public or community-owned entities created to acquire, manage, maintain, and repurpose vacant, abandoned, and foreclosed properties.

The presentation can be viewed at <https://regionalplanning.co.delaware.oh.us/wp-content/uploads/sites/17/2020/02/Land-Bank-Presentation.pdf>

## VARIANCES

02-17.V Northstar, Section 1, Phase B – Berkshire Twp. – requesting additional extension (1 year)

**Applicant:** Nationwide Realty Investors, Ltd.

**Engineer:** Terrain Evolution

**Preliminary approval:** 01/26/17

**Extensions granted:** 01/31/19 to 1/31/20

### Request

Terrain Evolution is requesting a variance, on behalf of the applicant, to sections 102.03 and 204.04 regarding the expiration and extension of the Preliminary Plan. The applicant is requesting a 1-year extension beyond the time limit allowed in the Subdivision Regulations.

The proposed subdivision is located on the east side of North Galena Rd., north of I-71.

### Facts

- 1) The Subdivision Regulations state that a Preliminary Plan shall expire if a complete Final plat application for the first phase is not submitted within two (2) years of Preliminary Plan approval;
- 2) Northstar, Section 1, Phase B received Preliminary approval on January 26, 2017; and
- 3) The project is “currently under construction with the sanitary sewer being installed and existing utilities being relocated.”

### 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 property.
- 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.

***Applicant’s Response:** “We are asking for a variance to the project as we have been working with Delaware County Engineer’s Office to get the project approved. The project was approved on August 26<sup>th</sup>, 2019. The owner could not get a contractor hired that could finish the project and get it paved by November, so it was decided to perform the mass excavation work in the late fall and perform the sanitary sewer installation through*

the winter and then finish the project up in the spring. Unfortunately, this puts us past the previous 1-year extension deadline.”

**Staff Comments:** No other major subdivisions have received preliminary approval in the surrounding area since this development was approved. The applicant is working through revisions to their Final Plat document.

### **Staff recommendations**

DCRPC staff recommends that based on the Findings of Fact, the Variance request from Sec. 102.03 & 204.04 for North Star, Section 1, Phase B and a one-year Extension of the Preliminary plan be Approved.

### **Commission / Public Comments**

No one was present to represent the applicant.

**Mr. Clase made a motion to Approve the Variance request for North Star, Section 1, Phase B based on the findings of fact presented by staff and a 1 year extension. Mr. Loveless seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.**

04-16.V Harvest Curve – Liberty Twp. – requesting additional extension (2 years)

**Applicant:** Rockford Homes

**Engineer:** EMH & T

**Preliminary approval:** 02/25/16

**Extensions granted:** 12/21/17 (to begin 02/25/18 for 1 year), 02/28/19 for 1 year (via variance)

### **Request**

Rockford Homes Inc. is requesting a second variance to sections 102.03 and 204.04 regarding the expiration and extension of the Preliminary Plan. The applicant is requesting a 1-year extension beyond the time limit allowed in the Subdivision Regulations to complete the platting of a subdivision (five years after the first plat is recorded) in the Harvest Curve subdivision in Liberty Township.

The proposed subdivision is located on the west side of Steitz Rd., south of Hyatts Road.

### **Facts**

- 1) The Subdivision Regulations state that a Preliminary Plan shall expire if a complete Final plat application for the first phase is not submitted within two (2) years of Preliminary Plan approval;
- 2) Harvest Curve received Preliminary approval on February 25, 2016;
- 3) An extension was granted December 2017 for a 1-year extension (to begin February 2018) to February 2019; and
- 4) A second extension was granted via variance February 2019 to expire February 2020.

### **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 property.
- 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.

***Applicant's Response:** "In our opinion, the granting of the variance will not be detrimental to the health, safety, and welfare of the public or other properties. The development is in compliance to the existing zoning requirements within Liberty Township as well as the county subdivision regulations and engineering standards. The development plan approval has also been extended numerous times within the township. Unlike other projects, the developer has two projects in close proximity to each other. Harvest Curve has similar size lots and homes as Harvest Point to the south, which has developed at a much slower pace than anticipated. Therefore, we are respectfully requesting the extension of the preliminary plan for Harvest Curve.*

*The preliminary plan will expire on February 25, 2020. Therefore, on the January 30, 2020 Delaware County Regional Planning Commission Meeting we are respectfully requesting an extension of the preliminary plan for Harvest Curve for two additional years, February 25, 2022."*

***Staff Comments:** Impending improvements along Steitz Road near the site and development activity in the area – primarily Liberty Grand and Woodcrest Crossing – may have impacted the conditions around which the Preliminary Plan was approved. Based on slow progress of similarly-designed Harvest Point to the south, the lot sizes may not be ultimately appropriate for this location. No submittals have been presented to the County Engineer's office since 2016.*

*Expiration dates on preliminary plans exist to ensure that development occurs in a way that fits into the fabric of the community. Extending the proposal may create issues in storm water engineering based on the development of Liberty Grand across Steitz Road. Likewise, traffic now has to be engineered with the anticipated volumes from surrounding development.*

*As this is the second Extension by Variance requested for the project and based on the lack of engineering progress, staff recommends that this be the final extension granted by the Commission, unless a timetable for development can be determined.*

#### **Staff recommendations**

DCRPC staff recommends that based on the Findings of Fact, the Variance request from Sec. 102.03 & 204.04 for **Harvest Curve** and a **one-year Extension** of the Preliminary plan be **Approved.** **Commission /**



**Public Comments**

Mr. Corey Theuerkauf with Rockford Homes was sworn in to represent the applicant. He stated their intention was to complete the Harvest Point development, just north of this project, then move into completing Harvest Curve. The market has softened for the type of development in the Harvest Point subdivision which has quarter acre lots that range from \$550,000 to \$650,000 homes. He stated they are on their second round of engineering review and anticipate the Harvest Curve development to begin in 2021.

*Mr. Merrell made a motion to Approve the Variance request for Harvest Curve, based on the findings of fact presented by staff along with a one year extension. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

---

**EXTENSIONS**

03-18                    **Maple Glen – Berlin Twp. – requesting a 1 year extension**

**Applicant:** Highland Real Estate Group

**Engineer:** Terrain Evolution

**Preliminary approval:** 01/25/18

**Staff Comments**

The applicant is requesting a 1-year extension for the Maple Glen Preliminary Plan approval. The applicant has stated that the construction is now complete of the Private Road but due to the holidays the applicant was not able to get the plat signed by other agencies in time for the deadline. They anticipate the plat being ready for the February DCRPC meeting but would respectfully ask for a 1-year extension.

**Staff Recommendation**

Staff recommends *Approval* of a 12-month Extension for the **Maple Glen subdivision** to the RPC.

**Commission / Public Comments**

Mr. Randy Loebig with Highland Real Estate Group was present.

*Mr. Clase made a motion for a 1 year extension for the Maple Glen Subdivision. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.*

---

01-18 Grace's Place – Genoa Twp. – requesting a 90 day extension

**Applicant:** Romanelli Schrock Road Investments LLC.

**Engineer:** Stantec

**Preliminary approval:** 01/25/18

**Staff Comments**

The applicant is requesting a 90-day extension for the Grace's Place preliminary subdivision. The applicant states that they "received full engineering approval for the project at the end of August 2019. Due to the time of year the developer is planning on starting construction of the project early in 2020. RPC staff has completed a Draft Final Plat review. The final plat is currently at Genoa Township starting the signature process."

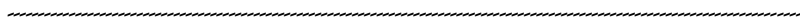
**Staff Recommendation**

Staff recommends *Approval* of a 90-day (changed to 6 months during the meeting) Extension for the **Grace's Place subdivision** to the RPC.

**Commission / Public Comments**

Mr. Kevin Kershner with Stantec was present to represent the applicant. He requested that the extension request be amended to a 6 month extension. Mr. Sanders revised his recommendation for 6 months.

*Mrs. Lewis made a motion to Approve a 6 month extension for Grace's Place subdivision. Mr. Loveless seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.*



**ZONING MAP/TEXT AMENDMENTS**

01-20 ZON Stella Garrabrant Trustees – Harlem Twp. – 15.123 acres from AR-1 to FR-1

**Request**

The Trust on behalf of Stella Garrabrant, is requesting a 15.123-acre rezoning from AR-1 to FR-1 to allow a future lot split.

**Conditions**

**Location:** North side of Fancher Rd., east of Green Cook Rd.

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

**Proposed Zoning:** Single Family Residential (FR-1)

**Present Use(s):** One single-family house, barn

**Proposed Use(s):** Two single-family house lots

**Existing Density:** 1 du / 5 acres (minimum 5-acre lot)

**Proposed Density:** 1 du / 2 acres (minimum 2-acre lot)

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

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

**Critical Resources:** stream/drainage

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CeB Centerburg Silt Loam 2-6% slope

### Introduction

This rezoning request is for a parcel at just over 15 acres in Harlem Township. The request would change the property's zoning from Agricultural Residential (AR-1) to Farm Residential (FR-1), decreasing the minimum lot size from 5 acres with 300 feet of frontage to 2 acres with a sliding scale for the required frontage based on lot size.

While no development plan is required with the rezoning request, the rezoning would facilitate a lot split for additional residences. Based on the zoning regulations and waste treatment standards, a future lot split (or Common Access Driveway) which would create more than 2 lots will require subdivision approval.

### Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be residential, with a minimum lot size of 2 acres in areas without centralized sewer, such as the subject property.

### Issues

**Frontage:** The subject parcel has the required frontage for the AR-1 zoning classifications, however, the neighboring properties on either side have frontages less than the required amount. Harlem Township's zoning code stipulates that no two parcels with less than the required frontage may be contiguous on any State or County Road (Fancher Road is a County Road). This essentially requires that the parcel be developed as either a CAD, or public or private drive subdivision. However, no site development plan was submitted with the rezoning request.

### Divergences

No divergences are requested with the rezoning.

### Staff Recommendations

Staff recommends **Approval** of the rezoning request by Trust on behalf of Stella Garrabrant from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

- 1.) *The submission of a statement of intent for the development of the property, including the intent to remove any existing buildings.*

### Commission / Public Comments

Mr. Joe Clase with Plan 4 Land was present to represent the applicant. He stated the applicant intends to split the house off and provide an access the acreage in the back for an additional home site. The barn is intended to be removed on the east side of the lot in order to make room for a driveway.

*Miss Boni made a motion to recommend Conditional Approval of the rezoning request by the Trust on behalf of Stella Garrabrant from AR- to FR-1, subject to staff recommendation. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.*

---

02-20 ZON      Linda Nisbet, Trustee – Berkshire Twp. – 9.043 acres from A-1 to FR-1

**Request**

Karen Coffman, Scioto Land Surveying, is requesting a 9.043-acre rezoning from A-1 to FR-1 on behalf of Linda Nisbet, Trustee to allow the rezoning for a future lot split.

**Conditions**

**Location:** North side of Dustin Rd., west of Rome Corners Rd.

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

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

**Present Use(s):** Vacant

**Proposed Use(s):** three single-family house lots

**Existing Density:** 1 du / 5 acres (minimum 5-acre lot)

**Proposed Density:** 1 du / 1.95 acres (minimum 1.95-acre lot)

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

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

**Critical Resources:** none

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

**Introduction**

This rezoning request is for a parcel of just over 9 acres, in Berkshire Township. The request would change the property's zoning from Agricultural Residential (A-1) to Farm Residential (FR-1), thereby decreasing the minimum lot size from 5 acres with 300 feet of frontage to 1.95 acres (since no centralized sewer is available) with a sliding scale for the required frontage based on lot size.

A development plan for the property was submitted with the rezoning request which illustrates an intention to split the parcel into three lots. The resulting split would create a 2.06-acre parcel with 206 feet of frontage in the southeast corner of the property, a flag lot of 2.642 acres and 60 feet of frontage to the west of that, and another flag lot of 4.386 acres and 60 feet of frontage to the west of that.

**Comprehensive Plan**

Berkshire Township's 2017 Comprehensive Plan identifies this area as Sub Area 9, and indicates that it would be residential with minimum lot sizes of 1.95 acres if no centralized sewer service is available, as is the case for the subject parcel.

**Issues**

**Traffic and Access:** The three proposed lots are all shown to have their own access points. While Dustin Road is not currently a major thoroughfare which would suggest the need to regulate access points, it is classified as a minor collector and may have the potential in the future to serve larger subdivisions. Additionally, the drives for the flag lots are in very close proximity (120 to 60 feet) of the intersection with Ryan Meadows Place which serves 16 residences to the south. Combining access points either through a Shared Access Point easement or creating a CAD aligned with Ryan Meadows would be the most ideal configurations. At a minimum, the two

flag lots should utilize a shared access point aligned with the western property line in order to minimize access points and increase driveway spacing as much as possible.

### Divergences

No divergences are requested with this rezoning.

### Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Linda Nisbet, Trustee from A-1 to FR-1 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) *Noting that the subdivision process may require the utilization of a Shared Access Point or Common Access Driveway aligned with Ryan Meadows Drive.*

### Commission / Public Comments

No one was present to represent the applicant.

*Mr. Clase made a motion to recommend Conditional Approval of the rezoning request by Linda Nisbet, Trustee, subject to staff recommendation. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.*

---

## SUBDIVISION PROJECTS

### Preliminary

33-19                      Longhill Farms at Berlin – Berlin Twp. - 482 lots / 278.81 acres

### Conditions

**Applicant:** Longhill Ltd. Partnership  
**Subdivision Type:** Planned Single Family Residential  
**Location:** North side of Berlin Station Rd., east of the CSX Railroad  
**Current Land Use:** Vacant, former agricultural, house  
**Zoned:** R-3 with PRD  
**Zoning Approval:** 09/09/19  
**Utilities:** Del-Co water and central sanitary sewer  
**School District:** Olentangy  
**Engineer:** Kimley-Horn

### Staff Comments

Longhill Farms at Berlin is a 482 lot subdivision on the north side of Berlin Station Road between Piatt Road and the railroad tracks. Piatt Road is planned to be extended from Berlin Station Rd. by Delaware County in 2021. The preliminary plan identified the project would be completed in 4 phases and contain 3 different lot types. There are 3 main entrances to the subdivision - one from Berlin Station Road and two from future Piatt Road - each serving a distinct section of the subdivision.

The area served by the entrance from Berlin Station Road at the southwest corner of the subdivision is characterized by lots that have typical dimensions of 72 feet wide and 151 feet deep – about a quarter acre. These homes are served by a loop road, and have two centralized open space areas, one of which containing a club house.

The southeastern portion of the development is accessed primarily by the southern entrance from future Piatt Road and is characterized by lots that are wider and shallower than the previous section served. The lots in this section are around the same size at a quarter acre, but are typically 80 to 85 feet wide and 135 feet deep. Open Space in this part of the development also includes a centralized open space, in addition to another open space area for community gardens and parking adjacent to Berlin Station Road, including pedestrian and emergency access only to Berlin Station.

The northern half of the development is primarily accessed through the north end of Piatt Road and one other internal access point. Two lot types characterize this area; the western portion has lot sizes similar to southeastern section (80 feet wide by 135 feet deep) while the eastern portion has larger lots with typical measurements of 90 to 95 feet wide and 130 to 148 feet deep. Open spaces consist of two smaller, centralized open space areas, as well as a long east/west open space strip. A road stub is provided to undeveloped land to the north.

The development has additional open spaces which serve to buffer the property from Berlin Station Road and future Piatt Road. Several retention ponds are distributed through the development, along with multi-use paths which are also included along both Berlin Station Road and future Piatt Road. Sidewalks are provided on both sides of all streets.

***A technical review was held on January 21, 2020, after which the applicant has addressed all of the required changes.***

#### **Staff Recommendation**

Staff recommends *Preliminary Approval* of **Longhill Farms at Berlin** to the DCRPC.

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

Mr. Mike Reeves, engineer with Kimley-Horn was present. He stated that the development density was listed at 2.6 (units/acre) with is the engineers calculation based on storm water control. He said the actual density per zoning is 1.85 (units/acre).

***Mr. Shafer made a motion for Preliminary Approval of Longhill Farms at Berlin. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.***

-----

02-20                    Scioto Reserve Extension – Concord Twp. - 14 lots / 07.90 acres

**Conditions**

**Applicant:** CV Real Property  
**Subdivision Type:** Single Family Planned residential community  
**Location:** North side of Home Rd., western extension of Cheery Glen Drive  
**Current Land Use:** House, barn  
**Zoned:** Planned Residential (PRD)  
**Zoning Approval:** 05/16/18  
**Utilities:** Del-Co water and central sanitary sewer  
**School District:** Olentangy  
**Engineer:** CEC

**Staff Comments**

Scioto Reserve is located on the north side of Home Road between Steitz Road and South Section Line Road. The Scioto Reserve Extension is a 14-lot extension of Cherry Glen Drive within that subdivision.

The 14 lots within the proposed extension are somewhat larger than the lots currently along Cherry Glen Drive, measuring between 75 and 90 feet wide by 137 to 186 feet deep. A few lots are much deeper than the typical measurement due to the road configuration, creating lot sizes that range from 0.25 acres to 0.78 acres.

The first 150 feet from the Home Road right-of-way is designated open space, and includes a multi-use path along the Home Road frontage. A walkway connects the lots to the path, and an emergency access drive is included between the extension and the Private Drive in the condominium development to the west.

*A technical review was held on January 21, 2020, after which the applicant has addressed all of the required changes.*

**Staff Recommendation**

Staff recommends *Preliminary Approval* of **Scioto Reserve Extension** to the DCRPC.

**Commission / Public Comments**

Mr. Brian Burkhart with CEC was present to answer questions from the Commission.

*Mr. Merrell made a motion for Preliminary Approval of Scioto Reserve Extension. Mr. Loveless seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.*

-----

## Final

01-20 Cheshire Cove, Sec. 2, Lot 1310 easement vacation - Berlin Twp. - 01 lot / 0.003 acres

### Conditions

**Applicant:** Michael Schweitzer

**Location:** West side of Devonshire Dr., south of Cheshire Rd.

**Zoned:** R-2

**Recorded:** 01/14/02

**Utilities:** Del-Co Water, central sewer systems

**School District:** Olentangy

**Consultant:** Patridge

### Introduction

Section 205.06 of the Subdivision Regulations allows for the vacation of easements created through platting which provide access beyond County agencies, such as to general utilities. The process requires notice and a meeting/decision of the Commission. Additionally, applications are discussed during the monthly Technical Review Committee meeting.

### Staff Comments

The applicant is proposing to vacate a 150 square foot section of a drainage easement in order to construct an addition to their garage. During the Technical Review Committee meeting, no attending agencies identified any conflicts that would occur from vacating this portion of the easement. Additionally, the easement vacation request was advertised in the Delaware Gazette, published on January 28<sup>th</sup>, and no utility company has contacted Regional Planning regarding a conflict with a continuing need for this portion of the easement.

The applicant has presented to the RPC Office a survey of the easements to be vacated, a requirement for approval.

### Staff Recommendation

Staff recommends *Final Approval* of the Cheshire Cove, Section 2, Lot 1310 easement vacation to the DCRPC.

### Commission / Public Comments

Mr. Michael Schweitzer, homeowner, was present. He stated he wanted to add on a garage in order to store his boat.

*Mr. Clase made a motion for Final Approval of the Cheshire Cove, Section 2, Lot 1310 easement vacation. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.*

---



## OTHER BUSINESS

- Consideration for Approval: Liability Insurance \$8,107.00

*Mr. Clase made a motion to Approve the Liability Insurance expenditure for \$8,107.00. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

## RPC STAFF AND MEMBER NEWS

- Jonathan Miller earned his AICP certification (American Institute of Certified Planners) in December 2019.

*Having no further business, Mr. Irvine made a motion to Adjourn the meeting at 7:20 p.m. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 27, 2020, 6:30 PM at the Hayes Services Building, 145 N. Union St., Conference Room 235, Delaware, Ohio 43015.*