

Delaware County Regional Planning Commission

1610 State Route 521
P.O. Box 8006, Delaware, Ohio 43015
740-833-2260 www.dcrpc.org
Scott B. Sanders, AICP Executive Director



MINUTES

Thursday, June 26, 2025 at 6:00 PM

Byxbe Campus Conference Room, 1610 State Route 521,
Delaware, Ohio 43015

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of May 29, 2025 RPC Minutes
- Executive Committee Minutes of June 18, 2025
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
33-19.6	Berlin Farm West, Section 6	Berlin	43 lots / 17.307 acres

VARIANCES

09-17.V Homewood Corp. – Howard Farms – Berlin Twp. – Requesting additional extension

ZONING MAP/TEXT AMENDMENTS

15-25 ZON	Brown Twp. Zoning Commission – Zoning Resolution amendments (Articles 4,7 and 14)
16-25 ZON	Bradley and Kristina Cannon – Harlem Twp. – 5.664 acres – AR-1 to FR-1
17-25 ZON	Troy Twp. Zoning Commission – Zoning Resolution amendments (Wedding Venues)
18-25 ZON	Harlem Twp. Zoning Commission – Zoning Resolution amendments (Sign code)
19-25 ZON	Nitsan Israel and Nina Brand – Harlem Twp. – 7.9408 acres – AR-1 to FR-1

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
13-25	Irish Eyes	Berlin	7 lots / 9.8 acres
14-25	Harriott Road CAD	Concord	3 lots / 14 acres

OTHER BUSINESS

- Initiation of amendments to the Subdivision Regulations (Sections 102.03, 204.04, 205.06 and 206.02)

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

ADMINISTRATIVE BUSINESS

▪ Call to Order

Chairman Shafer called the meeting to order at 6:00 a.m.

▪ Roll Call

Representatives: Ric Irvine, Duane Matlack, Glynnis Dunfee, Sarah Holt, Matt Shock, Joe Shafer, Mike Cannon, David Willyerd, Staci Hood, Jeffrey Warner, Robin Duffee, Jim Hatten, Ed Snodgrass, Molly Drayer, Kent Manley, and Mike Dattilo. *Alternates:* Kyle Vanderhoff, David Setzer, and Tiffany Jenkins. *Arrived after roll call:* Levi Kohler (R) and Barb Lewis (R). *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

▪ Approval of the RPC Minutes May 29, 2025

Mr. Matlack made a motion to Approve the minutes from the May meeting, seconded by Mr. Irvine. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ June 18, 2025 Executive Committee Minutes

A. Call to order

Chairman Shafer called the meeting to order at 8:48 a.m. Present: Joe Shafer, Robin Duffee, Gary Merrell, and Ed Snodgrass. Tiffany Maag was absent. Staff: Scott Sanders and Stephanie Matlack.

B. Approval of Executive Committee Minutes from May 21, 2025

Mr. Merrell made a motion to Approve the minutes from the May 21st meeting. Mr. Snodgrass seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

C. New Business

1. Financial / Activity Reports for May

REGIONAL PLANNING RECEIPTS		May	YTD TOTAL
General Fees (Lot Split)	(4201)	\$2,050.00	\$6,355.00
Fees A (Site Review)	(4202)		\$2,000.00
Insp. Fees (Lot Line Transfer)	(4203)	\$300.00	\$1,700.00
Membership Fees	(4204)		\$280,876.25
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$5,889.99
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)		\$53,331.06
Charges for Serv. B (Final. Appl.)	(4231)	\$6,292.21	\$34,401.71
Charges for Serv. C (Ext. Fee)	(4232)		\$1,800.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,511.06
Charges for Serv. F (Planned District Zoning)	(4235)	\$500.00	\$1,000.00
			\$500.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)		\$1,000.00
Commissioner's fees	(4244)		\$2,400.00
		\$201.00	\$882.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$9,343.21	\$394,647.07

Balance after receipts	\$1,230,622.51
Expenditures	<u>- \$ 54,909.59</u>
End of May balance (carry forward)	\$1,175,712.92

2. RPC Preliminary Agenda June

- | | | |
|--|-----------------|------------------------|
| a) Sketch Plans | <u>Township</u> | <u>Lots/Acres</u> |
| • Irish Eyes | Berlin | 7 lots / 9.8 acres |
| • Whisper Trace, Section 2 | Concord | 14 lots / 58.261 acres |
| b) Zoning Map / Text Amendments | | |
| • Brown Twp. Zoning Comm. – Zoning Resolution amendments (Articles 4, 7, and 14) | | |
| • Bradley & Kristina Cannon – Harlem Twp. – 5.664 acres – AR-1 to FR-1 | | |
| • Troy Twp. Zoning Commission – Zoning Resolution amendments (Wedding Venues) | | |
| • Harlem Twp. Zoning Commission – Zoning Resolution amendments (Sign code) | | |
| c) Subdivision Projects | <u>Township</u> | <u>Lots/Acres</u> |
| Preliminary | | |
| • Irish Eyes | Berlin | 7 lots / 9.8 acres |
| • 7220 Harriot Road CAD | Concord | 3 lots / 14 acres |
| Final | | |
| • Berlin Farm West, Section 6 | Berlin | 43 lots / 17.307 acres |
| Variance | | |
| • Howard Farms – Berlin Twp. – requesting additional extension | | |

3. Director's Report

The Partnership for a Healthy Delaware County and Health Behaviors Collaborative (Delaware Public Health District)

A group of agency directors, organizations, businesses, and residents representing multiple sectors of the county that assesses the health of the community and will develop an action plan to improve population health and drive policies, systems, and environmental change. The Collaborative acts as a subcommittee and is responsible for four strategies that fall within the Health Behaviors priority area of the 2023-2028 Health

Improvement Plan. **Brad attended the Q2 meeting on June 5th.**

Delaware County Housing Alliance (Affordable Housing)

Hosted by United Way, this effort includes **Task Force main group** meetings and a **Land Use and Zoning subcommittee**, both of which staff is involved with. This is an immediate-term effort (with long-term ongoing activities) that seek various tools to increase access and opportunities for affordable housing. Many social service agencies are involved. The effort included an initial study by a national consultant and information can be found at www.delcohousing4all.org. **Brad attended the June 10th meeting.**

Transportation Advisory Committee

Hosted by MORPC, these are monthly in-person meetings. **Scott attended on June 4.**

DCRPC-Managed Projects

Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **The last two meetings were related to Signs and Scott sent a final draft last week following a June 2 meeting.**

Shawnee Hills Comprehensive Plan

Staff has been working on updating the 2016 Plan's background information over the last year. **A final draft of the plan was provided to the Township on May 28th for comment.**

Concord Township Comprehensive Plan

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Scott met with the Steering Committee on June 4 – subcommittees are starting to report out on areas of interest.**

Food System Capacity Building Project (contracted until September, 2025)

Collaboration between the Delaware Public Health District, DCRPC, the United Way of Delaware County, and the Delaware County Hunger Alliance (DCHA) to address food insecurity and promote healthy eating for residents within Delaware County. Staff has been contracted with Public Health for one year to complete this project, meeting with members of Public Health approximately twice a month and with the Steering Committee monthly. **Brad attended the Hunger Alliance Task Force meeting on June 11th and the monthly Hunger Alliance meeting on June 13th. Brad, and Josie from Public Health will be presenting at four Community Conversation meetings on June 25th, July 7th, July 23rd and August 6th.**

Radnor Township has expressed interest in DCRPC staff creating a Comprehensive Plan. Staff is starting to assemble information and prepare a work contract.

Project-specific/other meetings

Transportation Innovation Forum: Smart Moves. Efficient Solutions.

MORPC and partners hosted this Transportation Innovation Forum. The forum provided a platform for an engaging conversation on innovative transportation systems, with two plenary sessions and three breakout sessions focused on innovation in the public sector, supply chain and freight, and transit. **Scott and Brad attended this forum on June 4th.**

ODOT SR 37 Corridor Planning Study – Stakeholder Meeting

ODOT is conducting a State Route 37 Corridor Planning Study between U.S. Route 23 in Delaware and SR 161 in Licking County. The purpose of this study is to identify projects that would improve the existing roadway conditions along the SR 37 corridor and accommodate the anticipated traffic demands from future development and land use changes. The primary focus is on improvements that are feasible to implement within a 10-year timeframe. Completion of the corridor study is set for Fall 2025. **Brad attended this meeting on June 9, along with representatives from DCEO.**

D. Old Business

1. Proposed amendments to Extension and Variance requests

Mr. Sanders presented amendments to the Subdivision Regulations for Section 102.03 (Expiration or Extension of Subdivision Projects) and 204.04 (Commission Action and Expiration). Under the revised regulations, a Preliminary approval is good for three years at which time a Final plat must be submitted. An administrative extension may be requested for up to one year. Once the first phase of a development is recorded, they have five years to complete the project. Additional extensions may be considered by the Commission.

Mr. Snodgrass made a motion to recommend initiating the proposed amendments to Section 102.03 and 204.04 of the Subdivision Regulations. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

E. Adjourn

Having no further business, Mr. Snodgrass made a motion to adjourn the meeting at 9:25 a.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, July 23, 2025 at 8:45 a.m. at 1610 State Route 521, West Conference Room, 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.

CONSENT AGENDA (Final Plats)

33-19.6 Berlin Farm West, Section 6 – Berlin Twp. - 43 lots / 17.307 acres

Conditions

Applicant: M/I Homes / **Engineer:** EMH & T

Subdivision Type: Planned Single Family Residential

Location: West of Roloson-Piatt Rd., north of Berlin Station Rd.

Zoned: R-3/ PRD / **Preliminary Approval:** 06/30/22

Utilities: Del-Co Water, central sanitary sewer / **School District:** Olentangy



Staff Comments

Berlin Farm West, Section 6 extends from Section 1 and includes 43 buildable lots and 1.025 acres of open space. Final Plats for Sections 8 and 10 are currently under review. Preliminary approval was granted on June 30, 2022 and the applicant is now requesting Final Plat approval.

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 **Berlin Farm West, Section 6** to the DCRPC.

Commission / Public Comments

Ms. Holt made a motion for Final Approval of Berlin Farm West, Section 6. Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

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VARIANCES

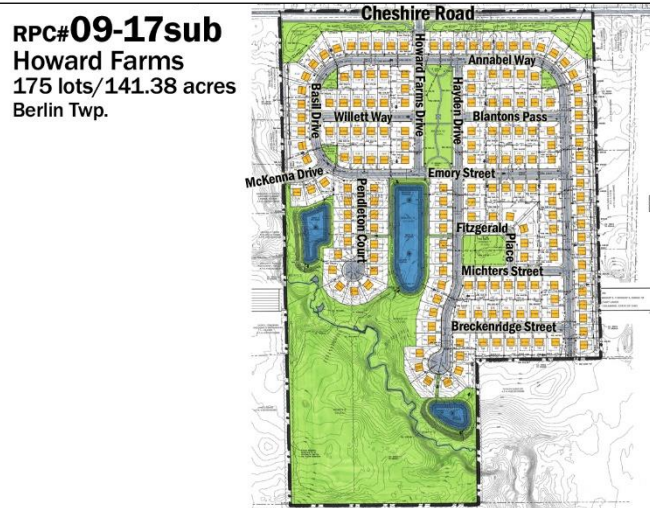
09-17.V Homewood Corp. – Howard Farms – Berlin Twp. – Requesting additional extension

Applicant: Homewood Corp. / **Engineer:** EMH&T

Preliminary approval: 04/27/17

Extensions: 04/25/19 and 06/26/24

Variance granted: 09/26/24, valid until 09/25



Request

The applicant, Homewood Corp., is requesting a one-year Preliminary Plan extension via Variance for Howard Farms. The site is located on the south side of Cheshire Rd., east of Piatt Rd. The development was approved to allow for 175 single-family lots, with 123 lots platted to date. Fifty-two lots remain to be platted and developed in Sections 5 through 7.

Facts

- 1) Section 204.04 of the Subdivision Regulations states that the 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) Howard Farms received Preliminary approval on April 27, 2017;
- 3) The applicant received a one-year extension in April 2019;
- 4) Sections 1 – 4 have been recorded (2019, 2022, 2024);
- 5) The applicant received their first Variance for Extension September 2024; and
- 6) Sections 5 – 7 remain unplatted.

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: “Construction of the development is ongoing and sales are consistent. Due to the large size of the development/number of lots as well as acquisition of an offsite sanitary sewer easement to provide service to the development, an extension is requested for the remaining sections 5-7.”

Staff Comments

Staff notes that this development has continued platting sections and constructing homes within this overall development since 2019, with approximately 32 vacant lots as of March, 2025. Development surrounding this site does not suggest that the Preliminary Plan is not still valid. Additionally, the only potential for road connection is proposed to the south, which would potentially connect to a future section of Paykoff/Evans Farm. The Paykoff/Evans development was zoned in 2017 to allow for 539 single-family lots. However, no Preliminary Plan has been filed. Based on these facts, staff has no concerns with the extension and variance request.

Staff Recommendation

DCRPC staff recommends that, based on the Findings of Fact under Criteria for a Variance above, the variance request from Sec. 102.03 & 204.04 and a one-year extension for **Howard Farms** be *Approved*.

Commission / Public Comments

Mr. Jim Watkins, Senior Principle Consultant for Verdantas was present to answer questions from the Commission.

Mr. Shock made a motion to Approve the Variance request for Howard Farms based on the Findings of Fact and a one-year extension (to expire September 2026). Mr. Setzer seconded the motion VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

ZONING MAP/TEXT AMENDMENTS

15-25 ZON Brown Twp. Zoning Commission – Zoning Resolution amendments (Articles 4,7 and 14)

Request

The Brown Township Zoning Commission has initiated text changes to their Zoning Resolution as described in the summary below.

- **Changes to Article 14 – Planned Commercial and Office District (PC)**
 - Removes NAICS codes from the PC district and describe the general uses, and include a catch-all statement, “Other commercial ventures not provided by this or other sections of this Resolution if approved as part of the plan.”
 - Describes in detail why Conditional Uses are not applicable to the PC district.
 - Minor amendments to add clarity to permitted and prohibited uses.
 - Adds an Initial Discussions section to promote early communication on a project between the applicant, Township and the RPC.
 - Design Standards were reconfigured and now require open space to be distributed throughout the development and to buffer surrounding land uses, and forests and ravines have been added to the list of environmentally sensitive areas to be protected.
 - The Process for Amendments section now states “This is a legislative act and is subject to referendum.”
 - The required number of printed copies of the preliminary/final development plan has been reduced from 15 to 11 and now requires an electronic copy be submitted.
- **Changes regarding Short-Term Rentals**
 - Add definitions related to Short-Term Rentals.
 - Add as a Conditional Use to the FR-1 district
 - May not interfere with rural character;
 - Registration required; and
 - Maximum number of rentals registered for each property
 - An application was created for this use, which must be submitted to and approved by the Township.

Staff Comments

Staff supports these changes and has no comments.

Staff Recommendation

Staff recommends **Approval** of the text amendments to the Brown Township Zoning Resolution, to the DCRPC, Brown Twp. Zoning Commission, and Brown Twp. Trustees.

Commission / Public Comments

Ms. Holt asked if there was any leeway with the statement about “requiring open space to be distributed throughout the development” to account for an environmental feature that needs preservation and could remain consolidated rather than having the open space scattered. Mr. Fisher agreed with that type of flexibility and the Township may want to consider some amendment to that wording. Mr. Shafer stated the language

should build upon itself, where you have to scatter the open space but you also have to protect these areas. Ms. Holt stated that there might be a unique site where consolidation makes sense. Mr. Fisher stated that maybe adding “unique circumstances will be considered.” Ms. Holt agreed.

Mr. Matlack made a motion to recommend Approval of the amendments to the Brown Township Zoning Resolution, including Commission discussion. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-25 ZON Bradley and Kristina Cannon – Harlem Twp. – 5.946 acres – AR-1 to FR-1

Request

The applicants, Bradley and Kristina Cannon, are requesting a 5.946-acre rezoning from AR-1 to FR-1 to allow the lot to be split.

Conditions

Location: North side of Woodtown Rd., east of Brookview Dr.

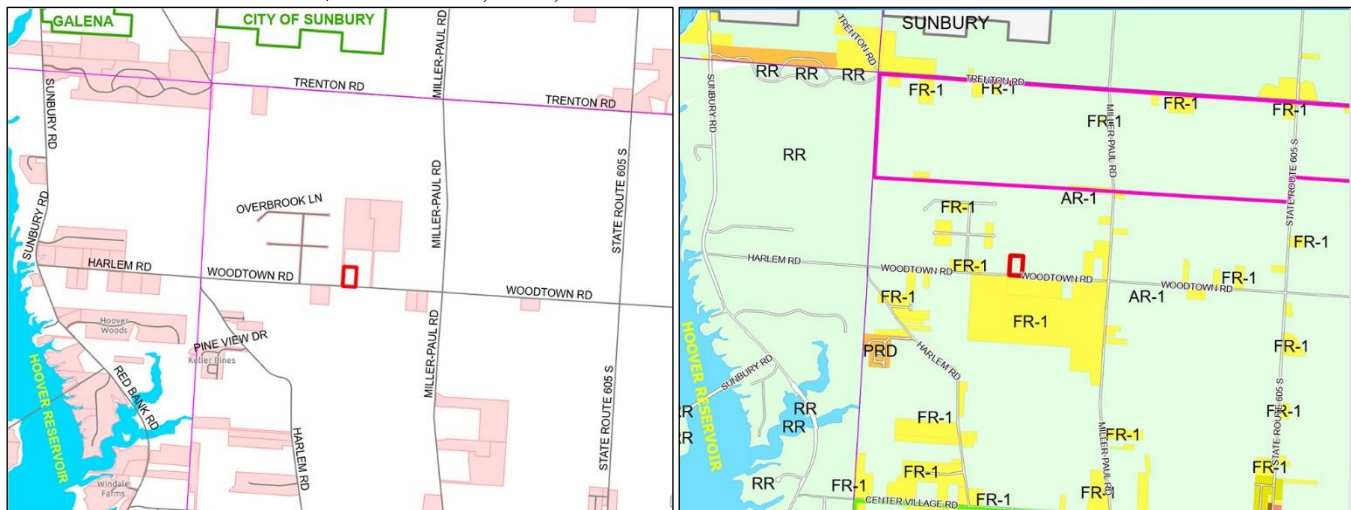
Present Zoning: Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

Present Use(s): Vacant / **Proposed Use(s):** Residential

Existing Density: 1 du / 5 acres **Proposed Density:** 1 du / 2 acres

School District: Big Walnut / **Utilities Available:** Del-Co Water and private on-lot treatment systems

Critical Resources: none / **Soils:** BeA, CeB, PwA



Introduction

The applicant seeks to rezone a 5.946-acre site to the FR-1 District. The FR-1 District allows for one single-family dwelling on a lot not less than two acres in size; minimum required road frontage for a lot 2 to 3 acres in size is 175 feet and a lot from 3 to 4 acres in size is 210 feet. The property is currently vacant, with road frontage that totals 410.01 feet. All surrounding lots north of Woodtown Road are zoned AR-1, while all nearby lots to the south and many in the general area are zoned FR-1.

Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan includes the site in Subarea D and recommends preserving the Township's rural character and maintaining a two net acre minimum lot size for all lot splits and rezonings for residential developments that do not utilize sewer facilities. Staff believes the proposal conforms to these recommendations.

Issues

Access and **Drainage** must be reviewed and approved as part of the Development Plan process prior to filing a Lot Split application with the DCRPC. Based on aerial imagery as of March 2025 there is currently no existing driveway from Woodtown Road; the site is generally flat, and there is roadside drainage along Woodtown Road.

Sanitary Treatment

The site will be served by on-site wastewater treatment systems. The Delaware County Health District must approve a primary and secondary system for any future split and/or development of the site.

Staff Recommendation

Staff recommends **Approval** of the rezoning request by **Bradley and Kristina Cannon** from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applications.

Mr. Manley made a motion to recommend Approval of the rezoning request by Bradley and Kristina Cannon. Ms. Holt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

17-25 ZON Troy Twp. Zoning Commission – Zoning Resolution amendments (Wedding Venues)

Request

The Troy Township Zoning Commission has initiated Text changes to their zoning resolution as described in the summary below.

- **Changes to Article 8 – Farm Residential District (FR-1)**
 - Wedding Venue (defined) added as a Conditional Use with the following development standards:
 - Minimum 20-acre site;
 - Not permitted in a recognized or platted subdivision;
 - 200-foot setbacks on all sides and existing structures permitted with a 100-foot setback;
 - Permit required with a max. of 200 attendees, requires two parking spaces per person, and must be parked on an approved parking surface;
 - Hours of operation 9:00 a.m. to 12:00 (midnight);
 - No fireworks after 10:00 p.m.; and

- Noise, lighting standards, sign location, building height limitations, wastewater treatment, and drive location must all be reviewed and approved.

Staff Comments

Staff reviewed a similar request from the Township last March, and many of Staff's comments have been addressed with this new zoning amendment. As with any commercial use, and being that there are no listed sign standards for Wedding Venues, Staff would recommend including sign standards in this section unless signs are not supported by the Township for this use. Additionally, landscape/buffer requirements may be necessary when adjacent to residentially zoned properties. Staff notes that the reference to "two parking spaces per person" might be a mistake and possibly should say "one parking space per two persons," which would be more applicable. As a reference, the Township's current Resolution requires that churches have one space for each three seats of assembly.

The Township may also want to define "approved parking surface" or clarify this, as the current language would require a paved surface for a use that may only generate activity one time per week. Paving or some other hardened surface may be a good idea for a small area, but is not needed for the maximum event capacity.

Staff Recommendation

Staff recommends **Conditional Approval** of the text amendments to the Troy Township Zoning Resolution, to the DCRPC, Troy Twp. Zoning Commission, and Troy Twp. Trustees, *subject to*:

1. Consider either adding sign standards within Section 8.04 or indicate that signs are not permitted;
2. Consider landscape/buffer requirements when adjacent to residentially zoned properties; and
3. Check the proposed number of parking spaces required and consider the negative impact of requiring all spaces to be paved.

Commission / Public Comments

Mr. Duffee stated that he did not see the definition of "wedding venue" in the presentation and asked if there was a definition or distinction between wedding venue with event venue. Mr. Fisher stated he did not see it. Mr. Duffee explained someone may say, 'We don't do weddings, we just do very large parties.'

Mr. Shock questioned the reasoning for the 200 max attendees. Chairman Shafer expressed concern with how that would be policed/enforced.

Chairman Shafer stated he was in favor of broadening the definition or term of "Wedding Venue" to "Event Venue".

Mr. Shock made a motion to recommend Conditional Approval of the text amendments to the Troy Township Zoning Resolution, subject to staff comments #1-3 and the Commission recommendation of broadening the term Wedding Venue to Event Venue. VOTE: Unanimously For, 0 Opposed. Motion carried.

18-25 ZON Harlem Twp. Zoning Commission – Zoning Resolution amendments (Sign code)

Request

On June 2nd, the Harlem Township Zoning Commission initiated changes to Article XXII – Signs, after several meetings with DCRPC staff as consultant. The Township has set July 7th for the Hearing. The amendments simplify and clarify sections of the Township’s sign regulations while ensuring the new language reflects fairly recent federal litigation on the limitations of government oversight of “content.”

Summary

The following is a summary of the main items being considered for the amendment:

- Adds a new definition of “Sign;”
- Removes title and references to “Billboard;”
- Real Estate sales signs section is simplified and moves Home Occupations signs, which are handled within specific districts;
- Language regarding limitations on Political Signs is removed;
- New standards related to Residential Subdivision Identification Signs (entry features);
- Clarification of Ground-Mounted signs for Industrial, Commercial, or Office signs;
- Clarification of Wall-Mounted signs for Industrial, Commercial, or Office signs;
- Definition of Temporary Signs to provide for larger real estate signs that are typically installed as a part of developments;
- Removal of “Signs Requiring a Conditional Use Permit.” This is a significant change, since most subdivision entry signs are currently going to the Township’s BZA with general standards such as 32 square feet maximum, 12 feet in height, and 25 feet from the ROW;
- Removal of a large section of text (22.06 and repeated in 22.08) related to temporary and permanent signs related to streets, CADs, and structures under construction. Such regulations were deemed unnecessary as they are handled separately, either by the Building Regulations or by the County Engineer’s subdivision engineering and construction process. Additionally, CADs may not have unique names as defined in the Subdivision Regulations and Map Department’s addressing process;
- Additional clarifications within the Prohibited Signs section; and
- Minor changes to the General Regulations section.

Staff Comments

Staff has been working with the Zoning Commission on this language over several meetings and has no issues with what is being proposed.

Staff Recommendation

Staff recommends **Approval** of the text amendments to the Harlem Township Zoning Resolution, to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

Ms. Lewis made a motion to recommend Approval of the text amendments to the Harlem Township Zoning Resolution. Mr. Manley seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-25 ZON Nitsan Israel and Nina Brand – Harlem Twp. – 7.9408 acres – AR-1 to FR-1

Request

The applicants, Nitsan Israel and Nina Brand, are requesting a 7.9408-acre rezoning from AR-1 to FR-1 to allow the lot to be split.

Conditions

Location: 4465 Green Cook Road

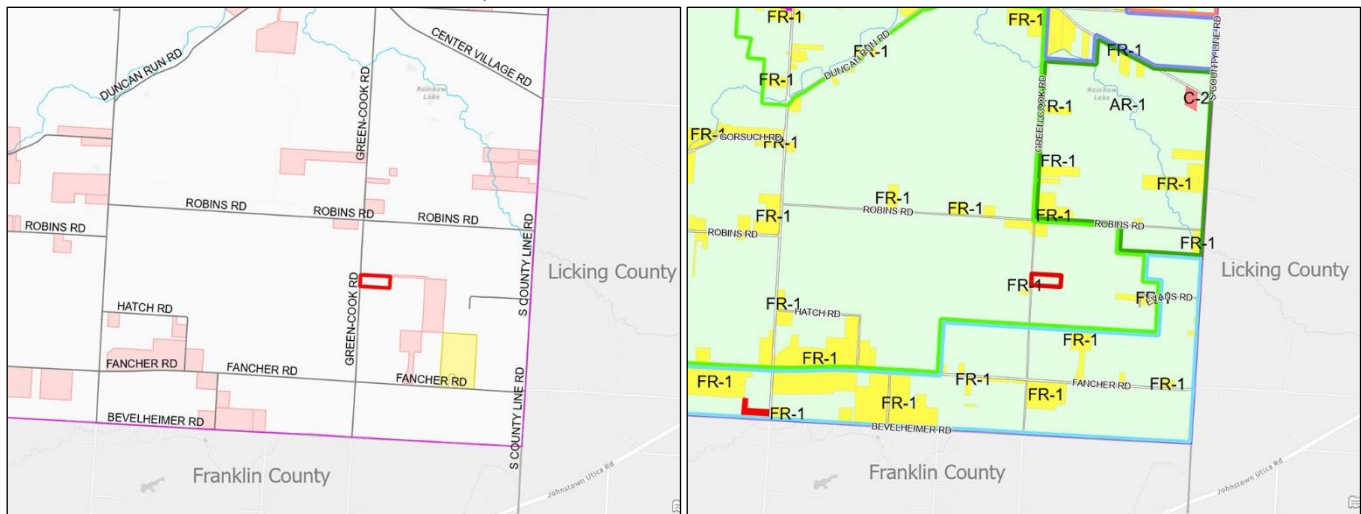
Present Zoning: Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

Present Use(s): Residential / **Proposed Use(s):** Residential

Existing Density: 1 du / 5 acres **Proposed Density:** 1 du / 2 acres

School District: Big Walnut / **Utilities Available:** Del-Co Water and private on-lot treatment systems

Critical Resources: none / **Soils:** BeA, PwA



Introduction

This property is located on the east side of Green Cook Road, just south of Robins Road. All adjacent properties are zoned AR-1 and there are FR-1 zoned properties within close proximity. The applicant seeks to rezone two parcels totaling 7.9408 acres to the FR-1 District. The FR-1 District allows for one single-family dwelling on a lot not less than two acres in size. Minimum required road frontage for a lot from 2 to 3 acres is 175 feet; a lot from 3 to 4 acres is 210 feet. Any future subdivision of this lot once zoned FR-1 will likely be a flag lot or CAD, otherwise the minimum required road frontage could not be met.

Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan includes the site in Subarea C and recommends preserving the Township's rural character and maintaining a 2-net acre minimum lot size for all lot splits and rezonings for residential developments that do not utilize sewer facilities. Staff believes the proposal conforms to these recommendations.

Issues

Access and **Drainage** must be reviewed and approved as part of the Development Plan process prior to filing a Lot Split application with the DCRPC. Properties along Green Cook Road have roadside drainage, and this site is relatively flat, naturally draining to the southwest.

Sanitary Treatment

The site is currently served by an on-site wastewater treatment system as will any future lots if split. The Delaware County Health District must approve a primary and secondary system for any future split and/or development of the site.

Staff Recommendation

Staff recommends **Approval** of the rezoning request by **Nitsan Israel and Nina Brand** from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicants.

Mr. Matlack made a motion to recommend Approval of the rezoning request by Nitsan Israel and Nina Brand. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

13-25 Irish Eyes – Berlin Twp. - 7 lots / 9.8 acres

Conditions

Applicant: Romanelli & Hughes / **Engineer:** Kimley-Horn

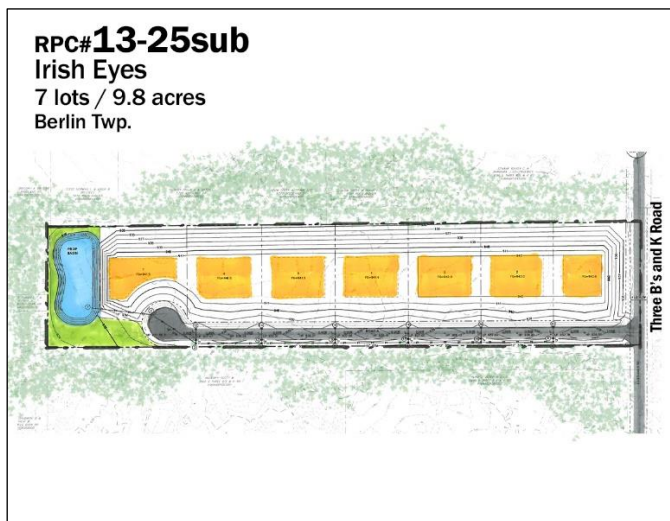
Subdivision Type: Single-Family Residential

Location: West side of 3 B's and K Rd., north of Plumb Rd.

Current Land Use: Vacant / **Zoned:** Farm Residential (FR-1)

Utilities: Del-Co water and central sanitary sewer / **School District:** Olentangy





Staff Comments

The proposed Irish Eyes subdivision fronts on S. Three B's and K Road, just north of Plumb Road. The development will include seven single-family lots, developed with the existing FR-1 standards of a one-acre minimum lot size and with a typical lot configuration that is 178-215' wide by 224-241' deep. One open space lot is included, which is also roughly 1 acre in size and is dedicated for stormwater retention. The development will gain access from S. Three B's and K Road and includes a single internal public street that terminates with a cul-de-sac. Sidewalks that are 5 feet wide are located on the north side of the street. All surrounding lots are developed with single-family homes, with no opportunity for road or pedestrian connections. There are two mapped wetlands on site that have not been identified on the Preliminary Plan; impacts to these wetlands should be reviewed and approved by OEPA prior to Final Plat approval.

A technical review was held on June 17, 2025, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends Conditional Preliminary Approval of **Irish Eyes Subdivision** to the DCRPC, subject to:

1. Receive OEPA approval for any impacts to the wetlands on site.

Commission / Public Comments

Mr. Mike Reeves, Kimley-Horn, was present to represent the applicant. He explained that their goal is to not wipe all the trees from the site. They will work with Romanelli & Hughes to determine house footprints and tighten up grading as they work through engineering.

Mr. Matlack made a motion for Conditional Preliminary Approval of Irish Eyes Subdivision, subject to staff recommendation. Mr. Shock seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

14-25 Harriott Road CAD – Concord Twp. - 3 lots / 14 acres

Conditions

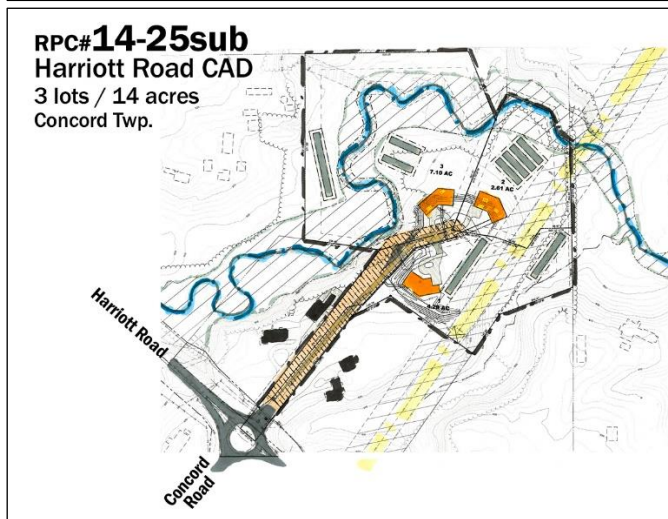
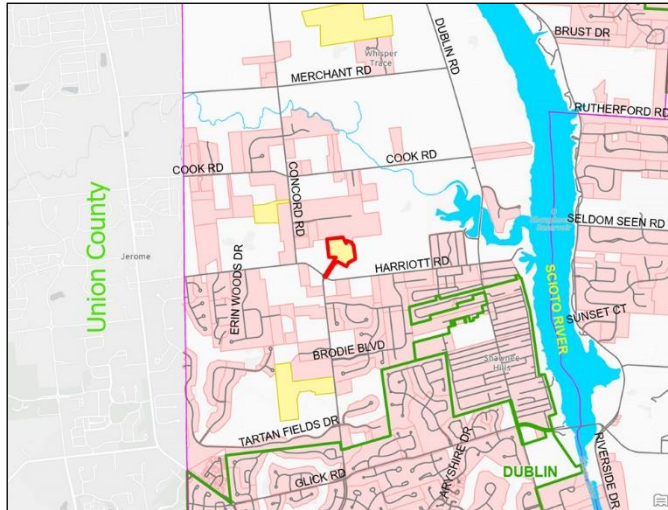
Applicant: Harriott Road LLC. / **Engineer:** Gandeey Heydinger Group

Subdivision Type: Single-Family Residential Common Access Driveway Subd.

Location: North side of Harriott Rd., east of Concord Rd.

Current Land Use: Residential / **Zoned:** Farm Residential (FR-1)

Utilities: Del-Co water and private on-lot treatment systems / **School District:** Dublin



Staff Comments

The proposed Harriott Road CAD subdivision will gain access off of Harriott Road, more specifically from the center of the roundabout that was constructed in 2014/2015. The property was developed with a single-family home in 1987, which will be removed to allow for this subdivision to be developed. This is a three lot CAD that will be served by on-site wastewater treatment,

A technical review was held on June 17, 2025, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends Preliminary Approval of Harriott Road CAD to the DCRPC.

Commission / Public Comments

Mr. Aaron Heydinger, GHG, was present.

Mr. Matlack made a motion for Preliminary Approval of Harriott Road CAD. Mr. Setzer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

OTHER BUSINESS

- Initiation of amendments to the Subdivision Regulations (Secs. 102.03, 204.04, 205.06, and 206.02)

Staff has prepared, and the Executive Committee has concurred and recommended amendments to language related to subdivision time Extensions. This is intended to provide more clarity to the process and reduce the need to request Variances from the Regulations.

The amendments provide one additional year for the initial Preliminary Plan approval period from two years currently to three (204.04). Secondly, applicants may ask for a one-year Extension that is administratively reviewed and approved at the staff level (102.03). Such extensions may be required to meet any current regulations or changes based on adjacent development. Further Extensions must be requested from the full Commission with a set of conditions that must be met.

102.03 Expiration or Extension of Subdivision Projects Plat Applications.

Failure to comply within stated time periods of these Regulations as provided in Section 204.04 shall result in the expiration of the application. **The subdivider is solely responsible for knowledge of, and compliance with, applicable expiration dates.**

Before expiration as provided in Section 204.04, the subdivider may submit a written request for a **one-year** extension and proper extension fee, indicating the status of the project, stating why the time periods cannot be met, and specifying **the length of extension being requested. for each request, with** **The maximum total extensions shall not to exceed one year. Such extensions are administrative and may be required to comply with new regulations or standards in effect at the time of the extension, as well as changes resulting from the development or zoning of adjacent areas.**

E Additional one-year extensions may be considered by the DCRPC; their issuance is discretionary. The subdivider is solely responsible for knowledge of, and compliance with, applicable expiration dates. The requested extension **Extension requests shall be filed by the subdivider as noted above. Once received and determined to be complete, a stay on the expiration of the plan is applicable until the Commission renders its decision. Based upon the circumstances of the request, the Commission may grant an extension for a period less than requested.** In granting an extension, the project may be required to comply with new regulations or standards in effect at the time of the extension.

The Commission may grant a request to extend the period of a subdivision project if it finds that:

- a.) Delays by the government or some other party after the plan approval have prevented the applicant from meeting terms or conditions of the plan approval and validating the plan, provided such delays are not caused by the applicant; or
- b.) The occurrence of significant, unusual, or unanticipated events beyond the applicant's control and not caused by the applicant, have substantially impaired the applicant's ability to validate the plan, and exceptional or undue hardship (as evidenced, in part, by the efforts undertaken by the applicant to implement the terms and conditions of the approval period in order to validate the plan) would result to the applicant if the plan were not extended; and
- c) No significant changes to the Subdivision Regulations of Delaware County, Ohio, or any other applicable regulations (i.e.: township zoning, engineer standards, etc.) have been adopted since the time the subdivision was granted approval (or prior extension) that would substantively impact, alter, or prohibit the plan; and
- d) No significant changes to the zoning designation or development status of immediately adjacent property have occurred that would render the subdivision incompatible with surrounding land use patterns, whether existing or planned; and
- e) No credible evidence exists that indicates that necessary public utilities, public or emergency services, and/or nearby infrastructure is/are unable to adequately service or support the plan; and
- f) Denial of the request could create a potential public nuisance and/or a condition that may negatively or adversely impact public health, safety, and/or general welfare.

204.04 Commission Action and Expiration.

Staff shall provide a Preliminary Plan report and recommendation to the Commission. Commission Preliminary Plan approval or conditional approval shall not constitute Final Plat approval, but shall provide an endorsement of the layout and intent of the proposal, and govern the preparation of the Final Plat. The Preliminary Plan shall expire if a complete Final Plat application for the first phase is not submitted within ~~three (3) two (2)~~ years of Preliminary Plan approval. However, the approval of a Final Plat for the first phase of the subdivision shall serve to extend the Preliminary Plan approval period to five (5) years from the date the Final Plat for the first phase is recorded. A Preliminary Plan shall be void upon expiration of the approval period.

- Staff also makes the following recommendations to reflect actual practice of the Recorder's office:

205.06 Minor Amendments to a Recorded Subdivision Plat.

(a. through c. unchanged)

- d.) Platted lots may be combined by filing an exhibit showing the final configuration of lot(s), including any easements, setbacks, or notes that affect the lot(s) as originally platted. The exhibit must be approved and endorsed by all platting authorities under 206.03 as applicable. The approval of a combination of platted lots shall be administrative. ~~The exhibit must cross-reference the recorded document. The Director shall request that a notation be added to the original plat document maintained by the County Recorder.~~
- e.) Plat notes and text not affecting lot lines and rights-of-way may be amended administratively after being approved and endorsed by all platting authorities under 206.03, at the discretion of the Commission. Impacted property owners may be required to be notified. ~~An exhibit may be required which cross-~~

references the recorded document. ~~The Director shall request that a notation be added to the original plat document maintained by the County Recorder.~~

206.02 Final Plat Contents and Format.

(other subsections unchanged)

d.) General Notes; ~~placed on a separate, second page of the plat.~~

Mr. Manley made a motion to initiate the hearing for the proposed amendments to the Subdivision Regulations. Mr. Shock seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The Commission will vote on the proposed amendments at the August 28th Regional Planning Commission meeting.

- Mr. Sanders explained that he is on the Trail Grant Committee and the notice for this years funding round went out today from Jane Hawes, Delaware County Communications Director. If you have an active Trail Group and they haven't received the information, reach out to our office and we will email you the link.

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

Having no further business, Mr. Manley made a motion to adjourn the meeting at 6:53 p.m. Mr. Setzer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

*The next meeting of the Delaware County Regional Planning Commission will be Thursday,
July 31, 2025, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521,
Delaware, Ohio 43015.*

Joe Shafer, Chairman

Stephanie Matlack, Executive Administrative Assistant

