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|  | <h2 style="text-align: center;">Variance Application</h2> <h3 style="text-align: center;">Delaware County, Ohio</h3> <p style="text-align: center;">(for unincorporated areas only)</p> | RPC Number 05-25 <i>(RPC Staff will assign)</i> |
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| PROJECT | The Nest at Hoover CAD | <i>(circle one)</i> Residential Commercial |
| TOWNSHIP | Genoa | |
| Subdivision Regulations Section for which Variance is sought: 306.02 "Number of Lots" on CAD | | |

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| APPLICANT/ CONTACT | Name Plan 4 Land LLC | Phone 740-413-4084 |
| | Address 1 S. Harrison St., P.O. Box 306 | E-mail lexus@plan4land.net |
| | City, State, Zip Ashley, Ohio 43003 | |

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|---------------------------|---|--------------------------------------|
| PROPERTY OWNER | Name ASMRE Holdings LLC | Phone 614-402-5664 |
| | Address 4461 S. Old 3C Hwy. | E-mail patshivleysr@gmail.com |
| | City, State, Zip Westerville, Ohio 43082 | |

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| SURVEYOR/ ENGINEER | Name Nathan Harrington, P.E. | Phone 614-506-3662 |
| | Address 5659 Greystone Lane | E-mail nharrington@brackeng.com |
| | City, State, Zip Hilliard, Ohio 43026 | |

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| LOCATION | <i>(circle one)</i> N S E W side of S. Old 3C Hwy. Road/Street | |
| | approx. 0 feet N S E W of Olivero Drive Road/Street | |

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| DETAILS | Farm Lot 4 | USML/VMS USML |
| | Buildable lots 5 | Total Acreage 22.02 |

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| VARIANCE MUST SHOW THE FOLLOWING IN WRITING (Sub. Regs. Section 204.02) | 1. The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties. |
| | 2. The conditions, upon which this variance request is based, are unique to the property for which this variance is sought. |
| | 3. Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out. |
| | 4. The granting of this variance will not vary the provisions of the application 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. |

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| SUBMISSION REQUIREMENTS (Sub. Regs. Section 204.02) | <input checked="" type="checkbox"/> | Required Written Response(s), quote Section Number of Sub. Regs.; |
| | <input checked="" type="checkbox"/> | One (1) copy of Sketch Plan (max 11" x 17"); |
| | <input checked="" type="checkbox"/> | Fee: \$500 (Refer to Fee Schedule) \$ 500.00 |

07/07/2025
 Owner (or agent for owner) and Date

Variance Request

THE NEST AT HOOVER CAD (RPC #05-25)

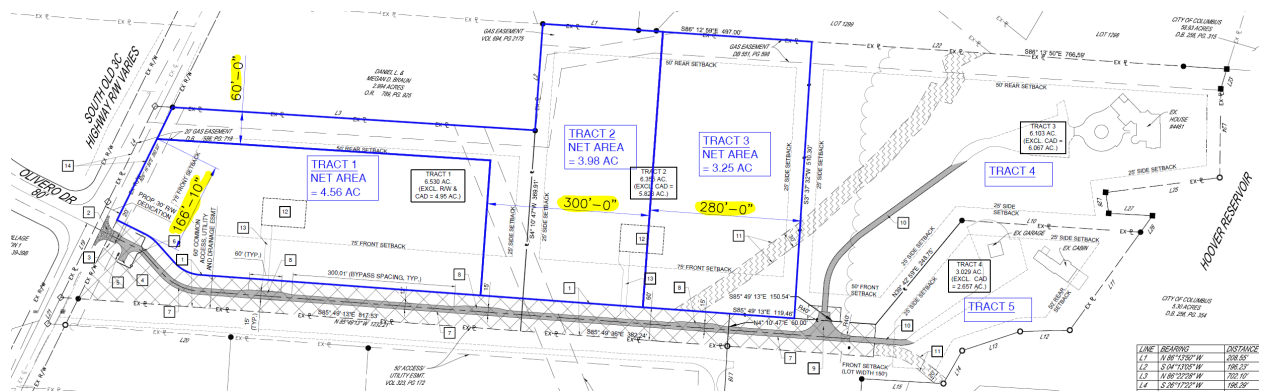
SUMMARY OF REQUEST

The applicant is seeking a variance from Section 306.02, regarding “Number of Lots” on a common access driveway (CAD) for The Next at Hoover CAD in Genoa Township, which states:

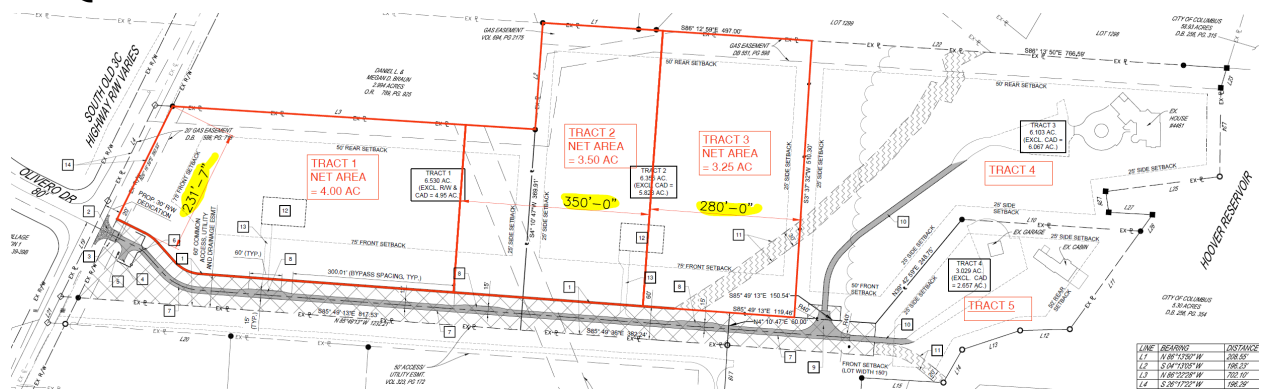
The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.

The applicant obtained preliminary subdivision approval for a compliant layout in March 2025, but now seeks to amend their preliminary plan to provide for a more desirable layout based on a practical hardship presented by this site. During plan review it was requested to reconfigure the CAD easement on Tract 1 to have the proposed CAD align with Olivero Drive opposite of the entrance which limited the building area of Tract 1. Tract 2 maintained a 60 foot wide strip of land to the north of Tract 1 that creates a long-term maintenance commitment for the adjoining owner and otherwise creates a strip of land that poses a hardship to this project.

APPROVED COMPLIANT PLAN



REQUESTED PLAN WITH VARIANCE



REVIEW OF CRITERIA FOR APPROVAL

The following are applicant's responses to the standards of Sub. Regs. Section 204.02, which provide criteria for approval of this request.

1. The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties.

RESPONSE: The proposed layout will provide for more practical septic layout, better configuration of lots for access, and more logical property lines to ease property maintenance expectations and lessen any potential impacts on public health, safety, welfare or potential injuries to neighboring property owners.

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

RESPONSE: Because of the nature of the existing structures, unique configuration of this property and desired access location for the common access driveway on S. Old 3C Hwy., the conditions of this request are unique and do not create a precedent for other variances of this standard.

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.

RESPONSE: Limited road frontage and topographic qualities of this site and the adjoining Hoover Reservoir provide for limited access to this property that justifies the use of the CAD and justification for this variance to allow for a reconfiguration of property lines to make for more suitable building sites, unnecessary burdens on future property owners and neighbors. Long term impacts of creating the potential flag lot narrow building area on the front lot that will create an unnecessary hardship in septic design, access limitations and property maintenance that are more than a mere inconvenience.

4. The granting of this variance will not vary the provisions of the application 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.

RESPONSE: The request maintains compliance with the Genoa Township Comprehensive Plan, Genoa Township Zoning Regulations and is otherwise compliant with the Delaware County Subdivision Regulations. Granting this variance will not generate additional building sites than what is otherwise permitted with the previously approved plan and is consistent with the spirit and intent of applicable regulations.