

Case Number: 1-2025-RZ

Date Filed: 10/23/25

**KINGSTON TOWNSHIP
DELAWARE COUNTY, OHIO**



**APPLICATION FOR AMENDMENT OF ZONING MAP
(REZONING) (12-14-23)**

All applications must be submitted to the Zoning Office, 4063 Carter's Corner Road, Sunbury, OH 43074, Phone 740-524-0290, with a \$300.00 filing fee plus \$100 per acre. The Application shall be accompanied by the following information and arranged into 10 complete packets:

- ☐ Typewritten or neatly printed application filled out completely;
 - ☐ Specified fee;
 - ☐ Narrative describing the overall intent of the rezoning request;
 - ☐ A list of all names and addresses of property owners, according to the Delaware County Auditor's Current Tax List, that are within, contiguous to, and across the street or easement from the premises in question, within 500' of the property line;
 - ☐ A set of stamped and addressed envelopes for all the names on the above-mentioned list; and,
 - ☐ Other pertinent supporting information (Attach the following items to the application).
- A legal description by text with map of the property to be affected by the proposed amendment.
 - A vicinity map 11" X 17" showing property lines, streets, and existing and proposed zoning.
 - A Preliminary Development Plan (if appropriate) per the appropriate section of the Kingston Township Zoning Resolution with a sketch 11" X 17" showing the following:
 1. The approximate number of lots intended to be created as well as the approximate lot dimensions and acreages, if the property is to subdivided;
 2. The anticipated layout of the lots, as well as existing and anticipated streets and common access driveways;
 3. The approximate location of existing and natural features such as drainage courses, woods, and waterways; and,
 4. Methods of proposed provision of water, sewer, and safety services.
 - A narrative statement of the relationship of the proposed amendment to the general health, safety, and welfare of the public in terms of impact, need and appropriateness within the area.
 - A statement indicating how the proposed rezoning relates to the Kingston Township Comprehensive Plan recommended land use for the area proposed for rezoning.
 - Such other information as may be required or requested by the Zoning Commission or Board of Trustees.

Name of Applicant: Andrew + Laura Berger
Mailing Address: 11497 Rosecrans Rd.
City: Sunbury State: OH Zip: 43074
Business Phone: _____ Home Phone: 614-306-6251

Name of Owner: Siemer Land LLC → skip Weiler
Mailing Address: 10 N. High St. Suite 401
City: Columbus State: OH Zip: 43215
Business Phone: 614-245-2182 Home Phone: _____

Name of Lessee: G+B farms LLC - Brett + Kelly Piper
Mailing Address: 13859 Roberts Rd.
City: Sunbury, OH State: OH Zip: 43074
Business Phone: 614-636-8791 Home Phone: _____

Address of Property: 0 Rosecrans Rd.
City: Sunbury Zip: 43074
Range: 17 Section: 4 Farm Lot: 14

Subdivision Name: _____ Parcel # 517-400-03-025-000

Present Zoning District: PRD Proposed Zoning District: FR-1

Number of Acres to be Rezoned: 10

Present Use: Agriculture / farming, planned development

Proposed Use: Single Family Home

IT IS RECOMMENDED THAT APPLICANTS CONSULT THE KINGSTON TOWNSHIP ZONING RESOLUTION AND COMPREHENSIVE PLAN PRIOR TO MAKING APPLICATION--the complete Zoning Resolution and Comprehensive Plan are available on-line at www.kingstontwp.org or www.dcrpc.org, can be examined at the Sunbury Community Library, or can be purchased at the Zoning Office for \$35.00 each..

ALL SUBMISSIONS MUST BE TURNED IN 40 DAYS PRIOR TO THE HEARING IN ORDER TO
BE PLACED ON THE ZONING COMMISSION MEETING AGENDA

The undersigned certifies that this application and the attachments thereto contain all information required by the Zoning Resolution and that all information contained herein is true and accurate and is submitted to request the amendment of the zoning map. No previous application for district change of the above premises has been made during the 12-month period preceding this request. Applicant agrees to be bound by the provisions of the Zoning Resolution of Kingston Township, Delaware, County, Ohio.

Date: 10/9/25 Signature: Andrew J. Berger

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

For Office Use Only

Date Filed: _____ Fee Paid: _____ Date Notice Mailed: _____

Date of DCRPC Meeting: _____

Recommendation of DCRPC: Approved _____ Denied _____

Approved with Recommendations _____ (Attach)

Date of Zoning Commission Hearing _____ Date of Decision _____

Recommendation: Approved _____ Denied _____

Vote: Aye _____ Nay _____ Abstain _____

Date of Trustees Hearing _____ Date of Decision _____

Decision: Approval of Recommendation: Aye _____ Nay _____ Abstain _____

Denial of Recommendation: Aye _____ Nay _____ Abstain _____

Berger Re-Zoning of Rosecrans Development

Overall Intent of Rezoning Request:

Our intent in rezoning this piece of property is to build our single-family home and preserve the natural landscape of the trees, creek and land, while enhancing soil quality and providing a habitat for wildlife and vegetation. We plan to have a garden, chickens, plant additional trees, and nurture the land and habitat surrounding it. We want to halt additional high-density development on this land and maintain the historical landscape of Kingston Township.

Neighbors:

- MCDONOUGH GERALD P & KATHLEEN Y
 - 11405 ROSECRANS RD, SUNBURY 43074
- PIPER TYLER J & MACKENZIE
 - 11385 ROSECRANS RD, SUNBURY 43074
- TAUSCH KELLEY TRUSTEE
 - 11431 ROSECRANS RD, SUNBURY 43074
- MCDONOUGH ROBERT W & JUNE A
 - 11465 ROSECRANS RD, SUNBURY 43074
- DAUGHERTY DANIEL F & NORA B
 - 11291 ROSECRANS RD, SUNBURY 43074
- HINES AMANDA C & TAYLOR MASSIE PHILLIP HAYDEN
 - 11507 ROSECRANS RD, SUNBURY 43074
- MCDONOUGH STEVEN MICHAEL & LISA R
 - 11410 ROSECRANS RD, SUNBURY 43074
- CRIPE STEPHEN D & KERI M
 - 11296 ROSECRANS RD, SUNBURY 43074

General Health, Safety and Welfare of public:

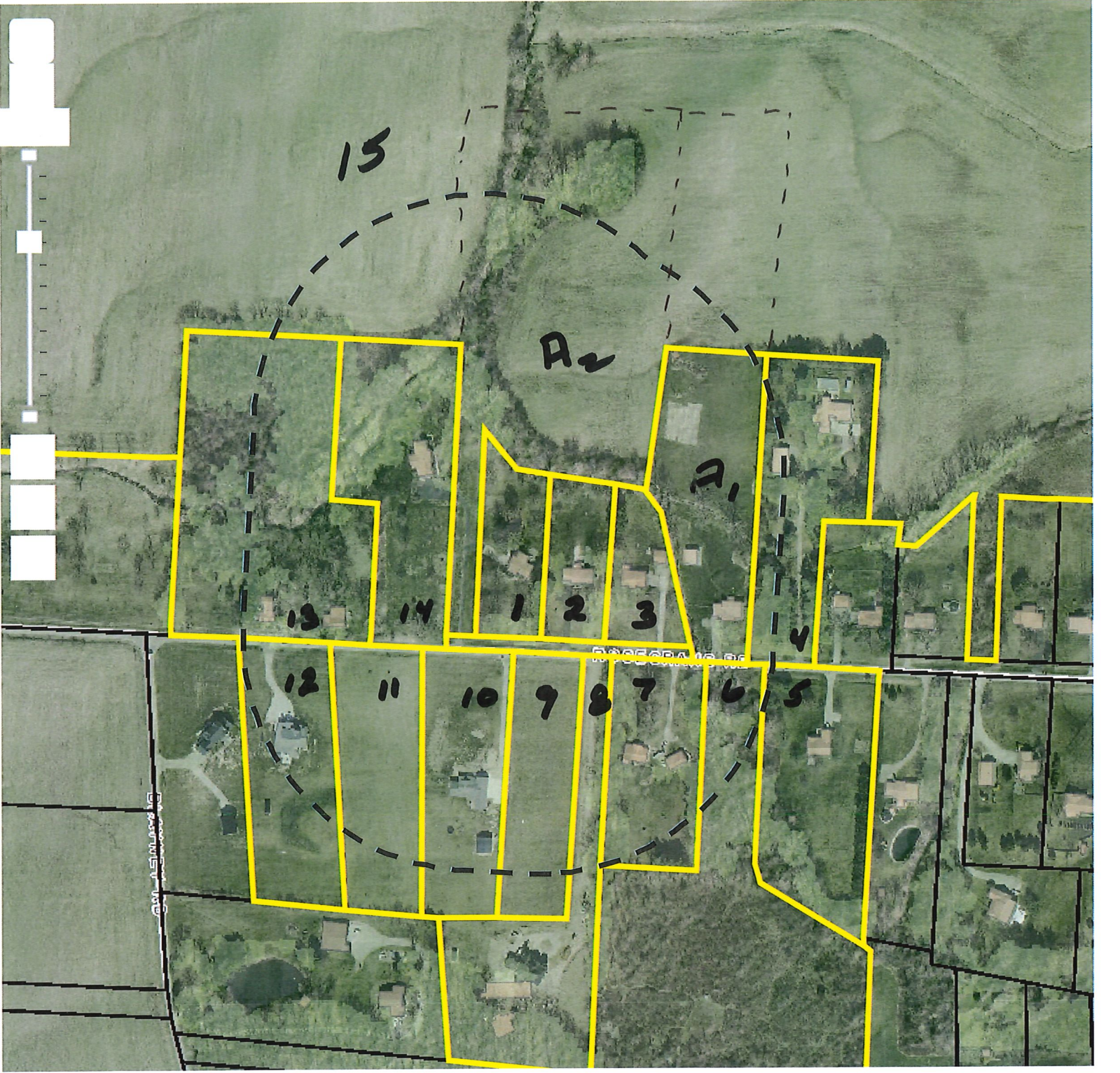
The rezoning of this property will positively impact the health, safety and welfare of the public and surrounding neighbors. Zoning this property back to FR-1 is in keeping with the community vision and current lot requirement standards in Kingston Township, as evidenced by the community survey completed by residents of Kingston Township and residents' desires to keep a "country" vs. developmental feel in the township. Maintaining the trees and allowing for growth on the land of wildflowers and brush will harbor an environment for bees and other wildlife to flourish. It has also been expressed by the neighbors sharing the easement as well as surrounding lots that they do not desire a road or development on this lot. Rezoning for our purposes will help maintain a country and

serene feel that will benefit the community. We hope that our rezoning will open opportunities for other residents to purchase parcels of this land and maintain the current agricultural and rural feel of our community.

Kingston Township Comprehensive Plan:

Rezoning our land is in line with Kingston's Comprehensive Plan because we will be preserving the rural character. We will be using this land for a single-family home while preserving the trees, natural waterways, and natural habitats. One home per 10 acres, as opposed to the proposed development will eliminate high density growth to these 10 acres. We plan to enrich the land through holistic methods of gardening and raising chickens, planting trees and allowing natural grasses and flowers to grow.

	Parcel Number	Owner Name	Address	Acreage
A1	51740003034000	BERGER ANDREW J & LAURA E	11497 ROSECRANS RD SUNBURY	3.000
6	51740002002019	BESHARA JULIE D	11494 ROSECRANS RD SUNBURY	11.806
		@ 5325 Parkmoor Dr., Westerville, OH 43082		
12	51740002004002	CRIFE STEPHEN D & KERI M	11296 ROSECRANS RD SUNBURY	2.566
13	51740003028000	DAUGHERTY DANIEL F & NORA B	11291 ROSECRANS RD SUNBURY	5.640
9	51740002004005	DERICK MARY LOUISE & SCOTT MICHAEL	11418 ROSECRANS RD SUNBURY	1.951
		@ 2040 Landry Lane, Rock Hill, SC 29732		
8	51740002004006	DORR COLLEEN & FRAGA GALO	11440 ROSECRANS RD SUNBURY	3.078
4	51740003036000	HINES AMANDA C & TAYLOR MASSIE PHILLIP HAYDEN	11507 ROSECRANS RD SUNBURY	3.000
1	51740003031000	MCDONOUGH GERALD P & KATHLEEN Y	11405 ROSECRANS RD SUNBURY	1.240
3	51740003033000	MCDONOUGH ROBERT W & JUNE A	11465 ROSECRANS RD SUNBURY	1.030
11	51740002004003	MCDONOUGH STEVEN MICHAEL & LISA R	ROSECRANS RD SUNBURY	2.380
10	51740002004004	MCDONOUGH STEVEN MICHAEL & LISA R	11410 ROSECRANS RD SUNBURY	2.351
7	51740002003000	MCGOWEN MONTE L	11472 ROSECRANS RD SUNBURY	2.000
14	51740003030000	PIPER TYLER J & MACKENZIE	11385 ROSECRANS RD SUNBURY	2.100
5	51740002002018	RILEY KEVIN D & SUSAN M	11536 ROSECRANS RD SUNBURY	2.914
15	51740003025000	SIEMER LAND LLC	ROSECRANS RD SUNBURY	585.821
		@ Edmunds Holding Corp, 10 NE High St., Cols, OH 43215		
		@ 250 West Street, Columbus, OH 43215		
2	51740003032000	TAUSCH KELLEY TRUSTEE	11431 ROSECRANS RD SUNBURY	1.120



10.000 ACRE TRACT

Situated in the State of Ohio, County of Delaware, Kingston Township, located in Farm Lot 14, Section 4, Township 5, Range 17 and being a 10.000 acre split out of that 585.821 acre parcel of land conveyed to Siemer Land LLC recorded in O.R. Book 450, Page 1569 (all reference to refer to the records at the Recorder's Office, Delaware County, Ohio), and being more particularly bounded and described as follows:

Commencing at the point of intersection of the centerline of State Route 61 and the centerline of Township Road 69 (Rosecrans Road) (also being the south line of Farm Lot 14);

Thence along the centerline of said Township Road 69 (Rosecrans Road), South $85^{\circ}20'45''$ West, distance of 1909.37 feet to a point at the southwesterly corner of Lot 35 of Rosecrans Subdivision as recorded in Plat Book 11, Page 14 and being the **Point of Beginning** of said 10.000 acre split herein described;

Thence continuing along the said centerline, South $85^{\circ}08'09''$ West, distance of 60.00 feet to a point at the southeasterly corner of a parcel of land conveyed to Tyler J. Piper and Mackenzie Piper recorded in O.R. Book 2106, page 572;

Thence along the easterly line of said Piper parcel of land and across said Siemer Land LLC parcel of land, North $03^{\circ}46'08''$ West, passing a 1 inch iron pipe at 30.00 feet and a 1 inch iron pipe (bent) at 310.84 feet, a total distance of 1124.14 feet to a pipe set;

Thence continuing across said Siemer Land LLC parcel of land, the following two (2) courses:

1. North $85^{\circ}08'02''$ East, distance of 637.98 feet to a pipe set;
2. South $04^{\circ}39'16''$ East, distance of 465.74 feet to a pipe set at the northeasterly corner of a parcel of land conveyed to Andrew Berger and Laura E. Berger recorded in O.R. Book 1536, Page 2194;

Thence along the northerly line of said Berger parcel of land, South $85^{\circ}08'02''$ West, distance of 217.19 feet to a point at a corner thereof being referenced by a 5/8 inch rebar capped "TLB & Assoc." found;

Thence along the westerly line of said Berger parcel of land, South $00^{\circ}16'32''$ West, passing a 5/8 inch rebar capped "TLB & Assoc." found on-line at 283.83, a total distance of 298.83 feet to a point in a small creek; said point being at a deflection point of the northerly line Lot 37 of said Rosecrans Subdivision;

Thence along the northerly line of Lots 37, 36 and 35 of said subdivision, the following two (2) courses:

1. North $88^{\circ}26'10''$ West, distance of 283.27 feet to a point referenced by a pipe set at North $23^{\circ}58'35''$ East, distance of 10.00 feet;
2. North $43^{\circ}36'44''$ West, distance of 101.18 feet to a point referenced by an iron pipe found on-line and 31.5' south, said point being the northwesterly corner of said Lot 35;

Thence along the west line of said Lot 35, South $03^{\circ}46'19''$ East, passing a 5/8 inch rebar found at 441.51, a total distance of 471.51 feet to the **Point of Beginning** and containing 10.000 acres of land, more or less, according to a survey made by Diamond V, LLC in October 2025.

Subject to all easements, restrictions and rights-of-way of previous record.

All corners called for as pipe set are 3/4" Iron Pipes, 30" in Length, with plastic cap stamped "S-7876".

Steve L. Lamphear

Date

Registered Professional Surveyor No. 7876

1.000 ACRE TRACT

Situated in the State of Ohio, County of Delaware, Kingston Township, located in Farm Lot 14, Section 4, Township 5, Range 17 and being a 1.000 acre split out of that 3.000 acre parcel of land conveyed to Andrew Berger and Laura E. Berger recorded in O.R. Book 1536, Page 2194 (all reference to refer to the records at the Recorder's Office, Delaware County, Ohio), and being more particularly bounded and described as follows:

Commencing at the point of intersection of the centerline of State Route 61 and the centerline of Township Road 69 (Rosecrans Road) (also being the south line of Farm Lot 14);

Thence along the centerline of said Township Road 69 (Rosecrans Road), South 85°20'45" West, distance of 1314.01 feet to a point at the southwesterly corner of a parcel of land conveyed to Amanda C. Hines and Phillip Hayden Taylor-Massie recorded in O.R. Book 2063, Page 2868;

Thence along the westerly line of said Amanda C. Hines and Phillip Hayden Taylor-Massie parcel of land, North 04°39'16" West, distance of 467.47 feet to a rebar set and being the **Point of Beginning** of said 1.000 acre split herein described;

Thence across said Andrew Berger and Laura E. Berger parcel of land, South 85°08'09" West, distance of 233.86 feet to a rebar set in an easterly line of that 585.821 acre parcel of land conveyed to Siemer Land LLC recorded in O.R. Book 450, Page 1569;

Thence along said easterly line, North 00°16'32" East, distance of 194.02 feet to a point at a corner thereof being referenced by a 5/8 inch rebar capped "TLB & Assoc." found;

Thence along a north line of said Siemer Land LLC parcel of land, North 85°08'02" East, distance of 217.19 to a pipe set at the northwesterly corner of said Amanda C. Hines and Phillip Hayden Taylor-Massie parcel of land;

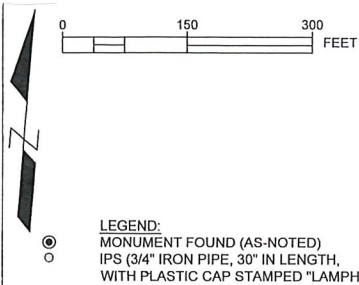
Thence along the westerly line of said Amanda C. Hines and Phillip Hayden Taylor-Massie parcel of land, South 04°39'16" East, distance of 193.15 feet to the **Point of Beginning** and containing 1.000 acres of land, more or less, according to a survey made by Diamond V, LLC in October 2025.

Subject to all easements, restrictions and rights-of-way of previous record.

All corners called for as pipe set are 3/4" Iron Pipes, 30" in Length, with plastic cap stamped "S-7876".

Steve L. Lamphear
Registered Professional Surveyor No. 7876

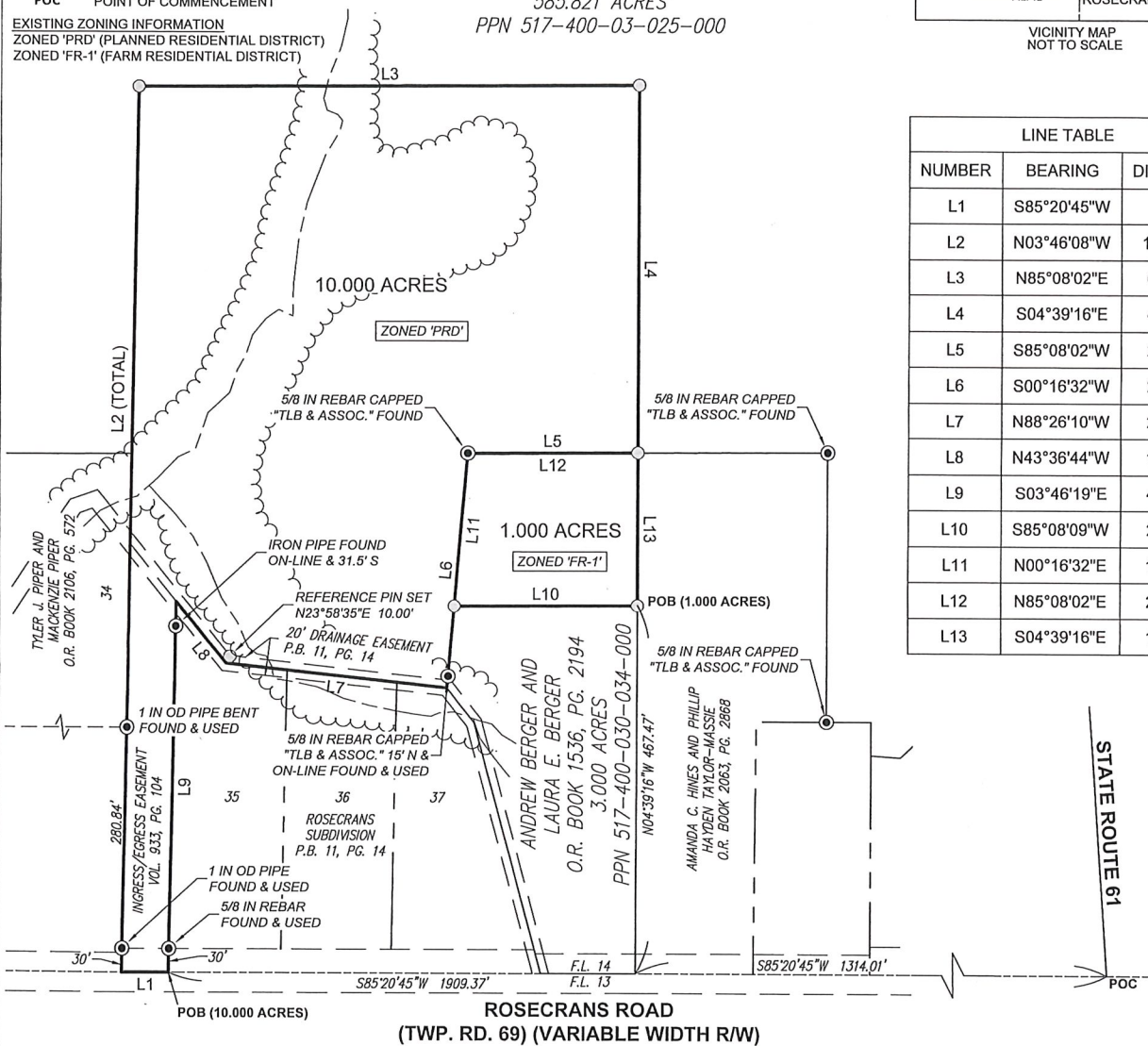
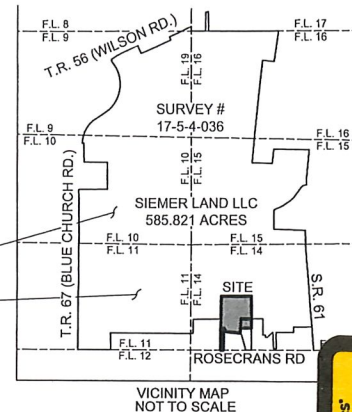
Date



PLAT OF SURVEY
FOR SIEMER LAND LLC
STATE OF OHIO, COUNTY OF DELAWARE
KINGSTON TOWNSHIP,
PART OF FARM LOT 14,
SECTION 4 TOWNSHIP 5,
RANGE 17, U.S. MILITARY LANDS

- LEGEND:
MONUMENT FOUND (AS-NOTED)
IPS (3/4" IRON PIPE, 30" IN LENGTH,
WITH PLASTIC CAP STAMPED "LAMPHEAR PS 7876")
ADJOINING PARCEL BOUNDARY
TREE LINE
CENTERLINE OF STREAM
POINT OF BEGINNING
POINT OF COMMENCEMENT
- EXISTING ZONING INFORMATION
ZONED 'PRD' (PLANNED RESIDENTIAL DISTRICT)
ZONED 'FR-1' (FARM RESIDENTIAL DISTRICT)

SIEMER LAND LLC
O.R. BOOK 450, PG. 1569
585.821 ACRES
PPN 517-400-03-025-000



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S85°20'45"W	60.00'
L2	N03°46'08"W	1124.14'
L3	N85°08'02"E	637.98'
L4	S04°39'16"E	465.74'
L5	S85°08'02"W	217.19'
L6	S00°16'32"W	298.83'
L7	N88°26'10"W	283.27'
L8	N43°36'44"W	101.18'
L9	S03°46'19"E	471.51'
L10	S85°08'09"W	233.86'
L11	N00°16'32"E	194.02'
L12	N85°08'02"E	217.19'
L13	S04°39'16"E	193.15'

- ADDITIONAL SOURCES OF INFORMATION:
- a. DELAWARE COUNTY GIS RECORDS
 - b. DELAWARE COUNTY SURVEY RECORDS:
17-5-4-036
 - c. DEED AND SUBDIVISION REFERENCES AS SHOWN

BASIS OF BEARINGS: ALL BEARINGS ARE BASED THE
CENTERLINE OF ROSECRANS ROAD, BEING S85°20'45"W, AS
DESCRIBED IN O.R. BOOK 450, PAGE 1569

NOTE: BOUNDARY SURVEY WAS PERFORMED WITH THE BENEFIT
OF A TITLE REPORT ISSUED BY FIRST AMERICAN TITLE
INSURANCE COMPANY, COMMITMENT # NTS-204794-OH-1, DATED
AUGUST 30, 2025.

FLOOD ZONE INFORMATION:
BASED ON FIRM 39041C0165K, EFFECTIVE 04/16/2009, THE
PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONES "X"
(AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL
CHANCE FLOODPLAIN)

I DO HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED FROM AN ACTUAL FIELD
SURVEY PERFORMED IN OCTOBER, 2025 UNDER MY SUPERVISION AND IS CORRECT TO
THE BEST OF MY KNOWLEDGE.

STEVEN L. LAMPHEAR
REGISTERED PROFESSIONAL SURVEYOR NO. 7876

DATE

 **Diamond V, LLC**
Surveyors & Engineers
PHONE: 614-620-0331
www.diamondvllc.com

PLAT OF SURVEY			
LOCATION	0 Rosecrans Road, Sunbury, OH	DRAWN BY:	CHECKED BY:
CLIENT	SIEMER LAND LLC	JK	SLL
		CREW CHIEF:	PROJECT NO:
		SSL	
		SCALE:	DATE:
		1" = 150'	10-21-2025
			SHEET:
			1 OF 1