

# Delaware County Regional Planning Commission

1610 State Route 521  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 [www.dcrpc.org](http://www.dcrpc.org)  
Scott B. Sanders, AICP *Executive Director*



## *\*AGENDA\**

Thursday, December 18, 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 November 20, 2025 RPC Minutes
- Executive Committee Minutes of December 10, 2025
- Statement of Policy

### ZONING MAP/TEXT AMENDMENTS

38-25 ZON      Plan 4 Land – Liberty Twp. – 18.895 acres – RR-1 to PR-4 – The Equestrian  
39-25 ZON      Del Fontaine Ltd. – Berlin Twp. – 1.21 acres – R-1.85, PRD to FR-1  
40-25 ZON      Del Fontaine Ltd. – Berlin Twp. – 49.70 acres – R-1.85, PRD and FR-1 to R-1.85, PRD

### VARIANCE

22-25.V      Britonwoods Reserve – Genoa Twp. – Requesting sidewalk variance (Sec. 204.02)

### SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
22-25	Britonwoods Reserve	Genoa	9 lots / 30.814 acres

### OTHER BUSINESS

### POLICY / EDUCATION DISCUSSION

### RPC STAFF AND MEMBER NEWS

## ADMINISTRATIVE BUSINESS

- Call to Order
- Roll Call
- Approval of the RPC Minutes November 20, 2025
- December 10, 2025 Executive Committee Minutes

### A. Call to order

Chairman Shafer called the meeting to order at 8:46 a.m. Present: Joe Shafer, Robin Duffee, Gary Merrell and Tiffany Maag. Ed Snodgrass was absent. Staff: Scott Sanders and Stephanie Matlack.

### B. Approval of Executive Committee Minutes from November 12, 2025

*Mr. Duffee made a motion to Approve the minutes from the November meeting, seconded by Ms. Maag. VOTE: Unanimously For, 0 Opposed. Motion carried.*

### C. New Business

#### 1. Financial / Activity Reports for November

REGIONAL PLANNING RECEIPTS		NOVEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)		\$11,070.00
Fees A (Site Review)	(4202)	\$400.00	\$7,600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$4,400.00
Membership Fees	(4204)		\$280,876.25
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,428.86	\$18,136.17
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,690.00	\$85,911.52
Charges for Serv. B (Final. Appl.)	(4231)		\$115,359.76
Charges for Serv. C (Ext. Fee)	(4232)		\$2,700.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$4,011.06
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,750.00	\$8,050.00
Charges for Serv. G (Easement / Plat Vacation)	(4236)	\$1,000.00	\$3,000.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$1,575.00	\$3,800.00
Soil & Water Fees	(4243)	\$400.00	\$6,600.00
Commissioner's fees	(4244)	\$3.00	\$2,685.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		

Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$8,346.86</b>	<b>\$554,199.76</b>

Balance after receipts	\$1,110,135.64
Expenditures	<u>\$ 38,385.41</u>
End of November balance (carry forward)	\$1,071,750.23

## 2. RPC Preliminary Agenda November

- |   | <u>Township</u> | <u>Lots/Acres</u>    |
|---|-----------------|----------------------|
| a) Sketch Plans   |                 |                      |
| • Peachblow Crossing  | Berlin          | 77 lots / 19.6 acres |
| b) Zoning Map / Text Amendments   |                 |                      |
| • Plan 4 Land – Liberty Twp. – 18.895 acres – RR-1 to PR-4 – The Equestrian   |                 |                      |
| • Del Fontaine Ltd. – Berlin Twp. – 1.21 acres – R-3 PRD to FR-1              |                 |                      |
| • Del Fontaine Ltd. – Berlin Twp. – 49.70 acres – R-3 PRD and FR-1 to R-3 PRD |                 |                      |
| c) Subdivision Projects   | <u>Township</u> | <u>Lots/Acres</u>    |
| Preliminary   |                 |                      |
| • Britonwoods Reserve   | Genoa           | 9 lots / 30.814      |
| acres   |                 |                      |

## 3. Director's Report

### County Planning Directors Association of Ohio

Meets annually to discuss issues related to Regional and County Planning Commissions. Scott serves as Treasurer. The Winter Meeting was held on December 4 in conjunction with the County Commissioners Association of Ohio (CCAO). The following was discussed:

Many people know that the ORC language enabling township zoning references a Comprehensive Plan, but does not define what such a plan is. Court cases have affirmed that a Zoning Map can be used as a Comprehensive Plan. That protects local zoning, but does not solve the issue that there should be an agreed-upon definition of a Comp Plan. The **Ohio APA** has been working with various stakeholder groups to create language that would resolve the definition issue, while protecting townships without a plan. Ohio APA is closer to having a draft, which was presented to the Planning Directors group, which responded with some constructive thoughts.

There was considerable discussion about **Senate Bill 361**, which seeks to change some approval timelines for development, as well as other changes including some related to building approvals and access management. Staff expressed concerns to County administration, and the CPDAO prepared a response that was forwarded to CCAO and the Ohio Township Association. Recent amendments use language that continues to create confusion over comprehensive planning.

There is a [Land Bank Association of Ohio](#) that has a significant conference each year with topics that are relevant to planning and development. The 2026 conference is in Toledo, April 22-24.

The next **APA National Conference** is in Detroit on April 25-28. It has been several years since it was a drivable distance.

The next **OKI (Ohio/Kentucky/Indiana) Planning Conference** is in Dayton, September 30-October 2.

Greene County has developed a set of standards to add “Public Events” like weddings, haunted houses, etc., to their Conditional Uses within their model zoning resolution. I have asked for a copy.

**Placer.ai** is an expensive tool that can count customers at a site or location, including their demographics and lots of other information we probably don’t want to know is being tracked.

Discussed the USDA’s **Farming Census**, which has a lot of data. Maybe helpful for Radnor or even our county-wide chapters. It shows that there are more total farms overall, but individual farms are getting smaller.

The **Department of Development** has developed a grant program for communities within a “residential economic development district” to promote “pro-housing” policies. Money is available for things like zoning updates and changes to certain standards and policies. Some elements are related to efficiency, such as increasing the rate at which permits are reviewed, expediting reviews, decreasing costs, decreasing parking requirements, developing partnerships, and reducing fees (although I’m not sure how some of these items would be addressed with a grant). Application evaluation criteria encourages higher densities (at least 2 du/ac), smaller lot sizes, reduced setbacks, less open space, reduced fees for high densities, traffic studies, sanitary sewer extensions, and other pro-housing policies.

#### **Oho Public Works Commission**

Chris Bauserman has asked if we would consider serving as the District 17 Liaison position, which is currently vacant. The role would be administrative, not political, including tasks like collecting and processing annual grant applications. The Integrating Committee actually considers and prioritizes projects. The Committee will consider the appointment on December 19. **Exec. Comm. members were in support of staff participation.**

#### **Development Team Meetings**

Hosted/scheduled by DCRPC, these meetings are generally quarterly and include RPC, DCEO, DCRSD, Building Safety, and Economic Development. Departments discuss project status throughout the County. **Meeting was held on November 12<sup>th</sup>.**

#### **Zoning Inspectors**

Hosted/scheduled by DCRPC, these meetings are occasional or as-needed and may include specific topics, a roundtable of discussion, or both. **Staff informed all Township Zoning Inspectors that the OTA also hosts zoning roundtables throughout the year, and the next scheduled roundtable is December 10<sup>th</sup>. Brad has attended these periodically and found that questions/discussions arise that may benefit our local Zoning Inspectors.**

#### **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 Q4 meeting.**

#### **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) 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](http://www.delcohousing4all.org). **Brad attended the final 2025 meeting on December 10<sup>th</sup>. The Land Use and Zoning subcommittee is transitioning to a group of local planners and zoning staff who will meet occasionally to discuss housing trends and opportunities. Scott will continue to serve on the committee.**

#### **Transportation Advisory Committee and Funding Committee**

Hosted by MORPC, these are monthly in-person meetings. **Scott attended on December 3.**

## DCRPC–Managed Projects

### Berkshire Township Zoning Project

Township is working with an external consultant to study certain parts of its Zoning Resolution. Staff is coordinating with consultant and providing GIS information and background material.

### Radnor Township Comprehensive Plan

Staff is meeting monthly with the Radnor Township Comprehensive Steering Committee to create Radnor's first Comprehensive Plan. Once the Plan is adopted the Township plans on adopting their own Zoning Resolution. **Brad attended the December 9<sup>th</sup> Steering Committee meeting and presented current Plan chapters and the comp plan survey results (174 responses).**

### Concord Township Comprehensive Plan

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Attended Trustee presentation on November 12. Input will be discussed by the Steering Committee in January.**

## Project-specific/other meetings

**Sunbury Parkway:** ODOT completed an Environmental Assessment Reevaluation in February, 2025 and will update the construction phasing schedule if needed. <https://PublicInput.com/SunburyParkway>.

**US 23 Connect:** The U.S. 23 Corridor Action Plan was completed in January, 2025. It explains the outcome of the 2024 Preliminary Feasibility Study and details the proposed improvement areas. <https://publicinput.com/23connect>

**Safe Routes to School (Berlin Twp.)** – EDG continues to work with Berlin TWP to develop a School Travel Plan. The SRTS program aims to encourage and enable students in grades K–12 to walk or bike to school safely. This is achieved through a combination of infrastructure improvements (such as sidewalks and bike lanes) and strategies (like education and community engagement). **Brad attended the most recent meeting on December 2<sup>nd</sup> and EDG will be sending out a draft report on December 12<sup>th</sup> to receive feedback.**

### OWU Walk Audit Presentation

OWU has partnered with DCPH to assist students with completing a Walk Audit as part of their curriculum. Students presented on the most recent Walk Audit completed last summer. Staff assists with these Walk Audits when available. **Brad attended this presentation.**

## D. Adjourn

*Having no further business, Mr. Duffee made a motion to adjourn the meeting at 9:40 a.m. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, January 21, 2026 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.

## ZONING MAP/TEXT AMENDMENTS

38-25 ZON      Plan 4 Land – Liberty Twp. – 18.895 acres – RR-1 to PR-4 – The Equestrian

### Request

The applicant, Joe Clase, Plan 4 Land, on behalf of the owners, is requesting an 18.895-acre rezoning from RR-1 to PR-4 to allow age-restricted apartment-style senior housing including clubhouse, pickleball courts, community garden(s), gazebos, and equine facilities.

### Conditions

**Location:** west side of Old Liberty Rd., north of Home Rd.

**Current Land Owner:** Muscovy Land Ltd.

**Current Zoning:** Rural Residential (RR-1) / **Proposed Zoning:** Planned Residence District (PR-4)

**Current Use(s):** residential / **Proposed Use(s):** age-restricted apartments and amenities

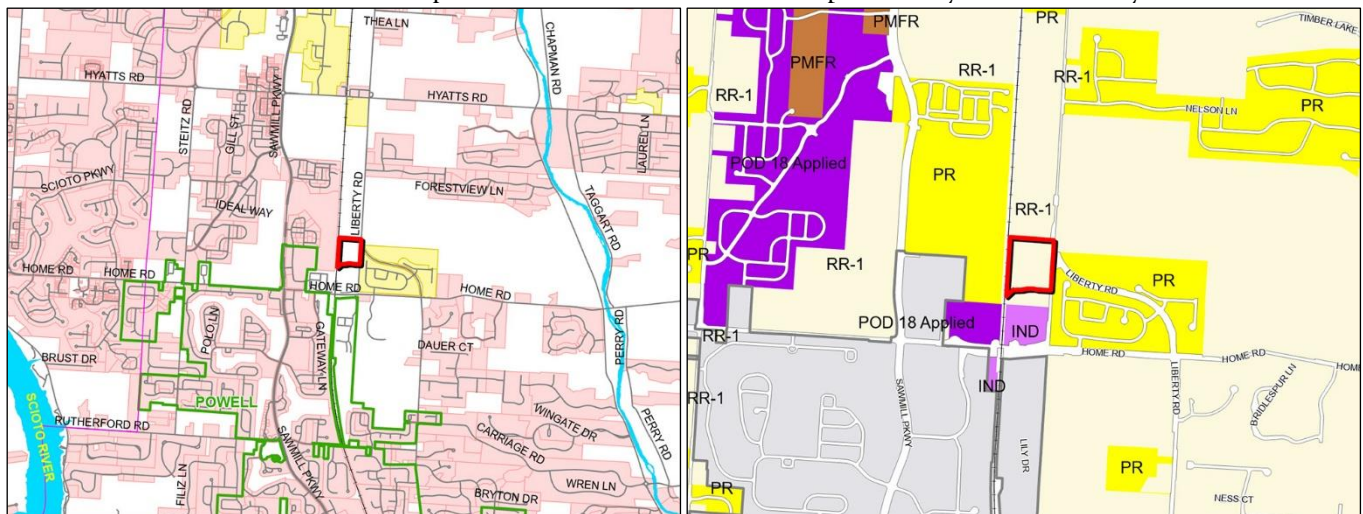
**Number of units requested:** 27 apartment buildings with 4 units each (108 total units)

**Surrounding Uses:** residential, railroad, high-voltage powerlines and a school

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

**Critical Resources:** pond / **Soils:** GwC2, GwB, BoA, , PwA, BoB,

**Traffic Study:** A Traffic Access Study was included in the application materials, but never submitted to the DCEO for review. The DCEO requires the TAS and a Traffic Impact Study to be formally submitted.







### Introduction

This rezoning application is to facilitate an 18.895-acre Planned Residential development located on the west side of Liberty Road and Old Liberty Road. The area to be rezoned includes three (3) total parcels that currently are developed with single-family homes, barns, and a large pond. The surrounding area is developed with a barn and high-voltage power lines to the north, Liberty Road and Old Liberty Road to the east, a single-family home to the south, and railroad tracks to the west. Olentangy Hyatts Middle School and Kinsale Village condos to the west, along with Liberty Trace to the east are all zoned PRD, and nearby properties to the south along Old Liberty Road are developed and zoned Industrial.

The proposal includes 108 age-restricted multi-family units within 27 four-unit buildings. The proposed gross density is 5.72 du/acre, and the net density is 7.08 du/acre. The Planned Residential District-4 (PR-4) regulations allow for a maximum density of 4 du/net acre, but multi-family uses are permitted. The proposed development style will be two-story apartment buildings (first and second floor units), attached garages (buildings front on pasture and central green), two pickleball courts, clubhouse with pool, community garden and central gardens, gazebo, horse stable, and a horse pasture surrounding the development. There is one main point of access onto Old Liberty Road and one emergency access drive. All units are served by an internal, private loop drive that includes 48 parking spaces distributed throughout the development.

### Comprehensive Plan

Liberty Township's Plan 2040 Comprehensive Plan places the site in Sub Area II – Olentangy West Highlands and recommends Transitional Uses, such as low-impact offices and other non-retail uses. Conservation Subdivisions are also supported with a maximum density of one du/net acre, with a minimum of 50 percent permanent open space, or PRD with a maximum density of 1.25 du/net acre.

Goals within the Plan include promoting an appropriate level of housing forms and densities that will allow for a range of high-quality housing types and provide housing opportunities for the entire generational spectrum; supporting a variety of indoor and outdoor recreational facilities to provide residents with year-round access to a variety of activities; and that new roads should incorporate sidewalks and multi-use paths on either side. However, the proposed density exceeds what is permitted in both the Zoning Resolution (max 4 du/acre) and Comprehensive Plan recommendation (max 1.25 du/acre).

## **Issues**

### **Traffic and access**

The development has one centrally located and gated main entrance that gains access from Old Liberty Road. A 20-foot-wide emergency access drive is located at the northeast corner. The internal drives will be private and maintained by the managing entity.

### **Sanitary Treatment**

Public Sanitary Sewer can be provided by Delaware County, connecting from an existing line in the Liberty Trace subdivision.

### **Multi-Use Trails**

According to the Township Plan, all arterial and collector roads in Liberty Township shall have a multi-use trail with a minimum width of eight (8) feet or as determined by the Development Plan and/or Zoning Inspector along one side of the road. The Development Text indicates that a connection via an eight-foot path will be made to Liberty Trace subdivision, but no trail is identified on the plan that would extend along Liberty Road and Old Liberty Road. The Plan should be updated to include a trail along the entire frontage of this site along the public ROW.

### **Open Space**

The required open space of 20% (3.779 acres) is well exceeded by the proposed 66.5% (12.15 acres).

Section 4.12.A states that stormwater facilities shall not be considered in Open Space calculations. Therefore, the proposed open space calculation should be updated on the plan sheets and in the text. However, Staff notes that there is still ample usable open space provided outside of the stormwater pond areas.

### **Landscaping**

A landscape plan was submitted and appears to meet all applicable requirements.

### **Drainage**

Three stormwater ponds are proposed, and there is one potential wetland at the northwest corner of the site; however, the wetland is not intended to be impacted as it is located in the “horse run/grazing” area.

### **Signage**

The applicant stated that a Comprehensive Sign Plan will be submitted with the Final Development Plan. The development is proposed to have an identification sign on an arch over the proposed driveway that will have a unique character and be reflective of the equestrian farm character. All other signage will be directional and internal to the site and of a uniform character.

### **Lighting**

The Development Plan indicates that the site is lighted with residential-scale pole lights at the entrance and throughout. A complete photometric plan will be submitted with the Final Development Plan.



### **Divergences**

One divergence is requested:

1. Sec. 13.01/13.03.A - Increase permitted residential density from 4.0 du/net acre to 7.08. The applicant stated that senior multi-family housing would offer a transition between higher-density residential developments to the west of the railroad tracks and lower-density residential housing along Liberty Road. This site would be a transition from nearby uses including **Genesis Automation Inc.**, an industrial use that is directly south; **Liberty Summit Apartment Community**, within 200 feet to the west, with 248 apartments on 17.237 acres (14.4 du/acre); and **Kinsale Village at Golf Village**, a 124-unit condominium community on just over 30 acres (4 du/acre).

### **Staff Comments**

Staff generally agrees that this use and residential density could serve as a transition from higher density development to the west and industrial uses to the south. We also agree that age-restricted multi-family units housing is needed in the area and generally doesn't create the same impacts that other multi-family uses can generate. Although the "Transitional" language uses "low-impact office uses, not retail" as guidance, any non-retail and non-single family uses could be considered here. However, Liberty Township just updated its Comprehensive Plan in February 2025. The Zoning Commission then worked on a new Zoning Resolution, which reworked the Planned Multi-Family Residential District into this new Planned Residence-4 District at 4 units per acre. Staff can't recommend approval of a project that diverges from the new Comprehensive Plan and new Zoning Resolution.

### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Plan 4 Land from RR-1 to PR-4 to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees.

If the Township sees this as a beneficial use to the community, staff would recommend *Conditional Approval*, subject to:

- 1.) *Reduce the proposed density to 4 units per acre, or to the satisfaction of the Liberty Township Zoning Commission and Trustees;*
  - 2.) *Providing a vegetative buffer between this development and the residential lot to the south; and*
  - 3.) *Providing additional paths and a pedestrian crossing on Old Liberty Road and working with the Township to provide a connection to the existing path at the north end of the Liberty Trace Subdivision.*
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39-25 ZON      Del Fontaine Ltd. – Berlin Twp. – 1.21 acres – R-1.85, PRD to FR-1  
40-25 ZON      Del Fontaine Ltd. – Berlin Twp. – 49.70 acres – R-1.85, PRD and FR-1 to R-1.85 PRD

### Request

The applicant, Del Fontaine, Ltd., is requesting a rezoning that is essentially a development plan amendment for Peachblow Crossing to relocate the entrance, modify lot sizes and include additional detail on landscape and architecture. The request indicated the R-3 zoning district, which is now the R-1.85 district in the current Zoning Resolution.

### Conditions

**Location:** North side of Peachblow Rd., west of Piatt Rd.

**Current Land Owner:** Del Fontaine (47.605 ac.), Bruce Strawser (1.2 ac.)

**RPC 39-25 ZON Current Zoning, 1.21-acres:** R-1.85/PRD / **Proposed Zoning:** FR-1

**RPC 40-25 ZON Current Zoning, 49.70-acres:** R-1.85/PRD and FR-1/ **Proposed Zoning:** R-1.85/PRD

**Current Use(s):** vacant, residential / **Proposed Use(s):** single-family residential

**Number of units requested:** 77

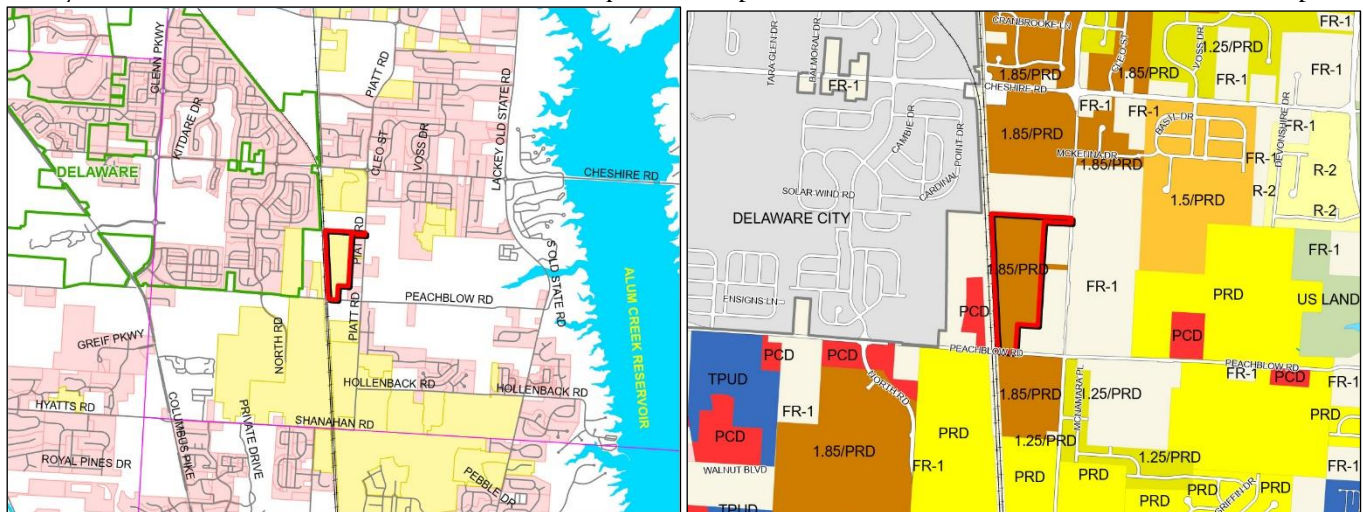
**Existing Density:** 1.84 du/acre (net)      **Proposed:** 1.82 du/acre (net)

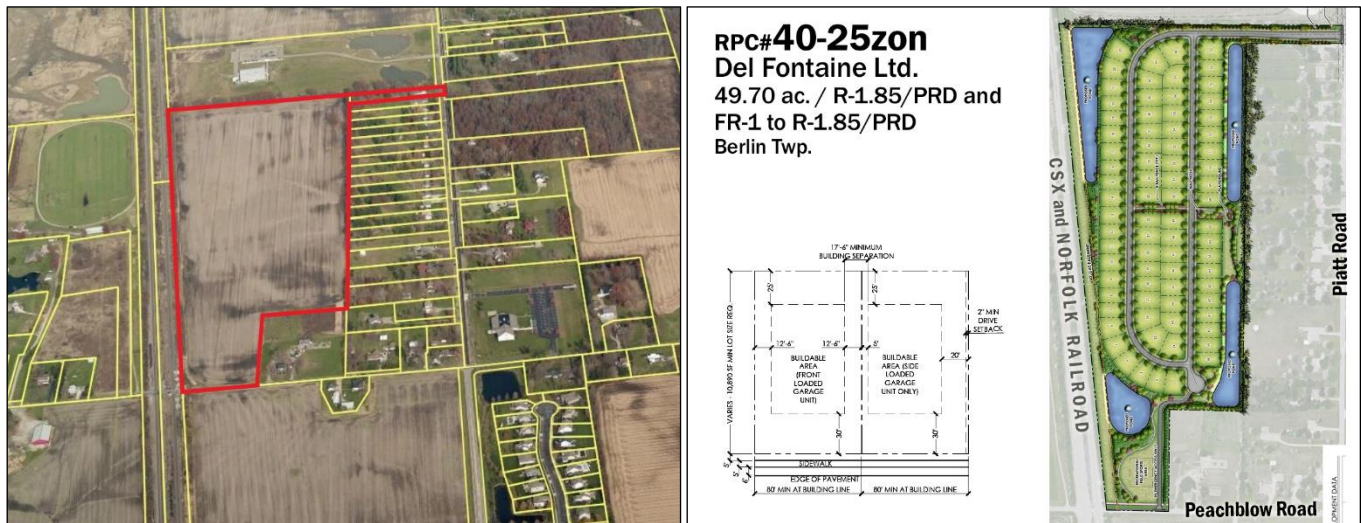
**Surrounding Uses:** residential, religious use, railroad tracks and a school

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

**Critical Resources:** none / **Soils:** GwB, BoA, PwA, BoB,

**Traffic Study:** A Traffic Impact Study (TIS) was submitted and reviewed in 2022. A Turn Lane Warrant Analysis was submitted in 2025. The DCEO requires an updated TIS to be submitted with new access point.



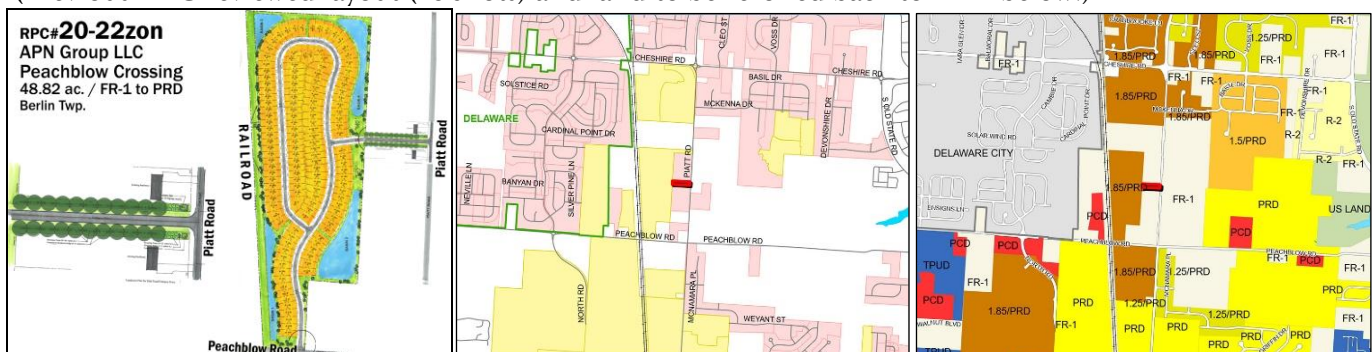


## Introduction

The applicant seeks to rezone two lots to the R-1.85/PRD overlay to develop 77 single-family lots on 49.7-acres. The site is located between the railroad to the west, Peachblow Road to the south and Piatt Road to the east. The Sri Venkateswara Temple is located on the adjacent property to the north, and the long, narrow lots of Broadmeadows Subdivision (platted in 1965) is adjacent to the east, between the subject site and Piatt Road. In April 2022, the RPC reviewed a proposal for 136 single-family lots on the 47.605-acre parcel as well as a 1.21-acre lot that was proposed to be used for the main access point to Piatt Road (image included below). On 3/13/2023, Berlin Township approved the rezoning with a modified layout and larger lots. That project would have resulted in a 77-lot single-family subdivision. No improvements were made to the site and no engineering was submitted or reviewed.

This new proposal will incorporate the northern-most 1.2-acre parcel that currently has a single-family home which will be removed to allow for the proposed roadway to gain access to Piatt Road. This new access location will impact fewer properties along Piatt and provide better sight distance to the north. The internal road will be reconfigured with additional open space proposed within the interior of the site. The 1.21-acre parcel will now be rezoned back to FR-1, if approved, and continue as a single-family house lot.

(Previous RPC-reviewed layout (136 lots) and land to be rezoned back to FR-1 below.)



## Comprehensive Plan

Berlin Township's most recent Comprehensive Plan recommends the area west of Piatt Road as residential at a density of 1.85 units per net developable acre. The proposal is for 1.82 du/net acre (49.7-acres), which conforms

to the Plan's recommendation.

### **Issues**

#### **Traffic and access:**

The only full access road is from Piatt Road. The new subdivision street will circulate through the site in a single loop and will be terminated at a cul-de-sac to the south. No cross-sections are provided to indicate the road design; however, these are public roads that must be built to County standards. An emergency access-only drive extends from the southern cul-de-sac to Peachblow Road. The Development Text and Plan indicate that sidewalks will be installed along all public streets and pass through open space.

#### **Drainage:**

The site is very flat but ample areas are shown which would include four detention basins. As noted elsewhere, the basins fill most of the open space.

#### **Signage:**

Signage is minimal with a single post and cross-arm sign on the north side of the entrance to Piatt Road. The sign is two-sided, 13 sq. ft. per side, with one LED down-light on either side at the top of the sign.

#### **Lighting:**

Street lighting is not proposed.

#### **Sanitary Treatment:**

A service letter is included stating that sewer is available to the site from the existing terminus north of Oldefield Estates, at Grace Point Community Church across Piatt Rd.

#### **Open Space / Health:**

As noted, the open space fulfills the required 20%, but most of the open space is shown in detention areas or the gas line easement. As recommended by RPC with the previous rezoning, landscape buffering has been provided between the proposed residential lots and the adjacent railroad and existing residences. The location and extent of the basins as well as the location of the gas easement along the railroad prevent easy location of mounded buffers, but some mounding is provided.

Open space totaling 17.5-acres (35.21% of total area) exceeds the required 20% but is shown as mostly retention. There is 11.24-acres of open space (22.62%) excluding the ponds. A community children's play area and cluster mailbox will be installed on the east side of the development, recreational sports fields are to the south, and a 10-foot-wide path extends along Peachblow Road frontage, which also connects to internal sidewalks. A 60-foot wide open space strip adjacent to the railroad tracks is the location of an existing gas line with related easement.

### **Divergences**

Four divergences are requested:

1. **Section 10.06(B)/24.09 – Minimum required Lot Frontage** (continuous) is 80 feet at the ROW and 72 feet is proposed for lots 2 and 3. The applicant indicated that this divergence does not reduce the buildable area below the minimum requirement of the code nor will it hinder buildability on the lot.

***Staff Comment:** Staff has no concerns with this request.*

2. **Section 11.06(Q)/10.06(F) – Minimum Side Yard Setback** is 12.5 feet to any side lot line and five (5) feet is proposed. The request is to reduce the side setback to 5 feet for side-loaded garage units, on the non-garage side only. The total side setbacks shall be a minimum of 25 feet on these lots. This allows all lots to have side-loaded garage options. The developer is committing to a minimum of 25% side-load garages.

***Staff Comment:** The approved Development Plan appears to have complied with 12.5 feet per side. Provided Zoning and Building Safety support this request, Staff has no concerns.*

3. **Section 24.03 – Minimum Principal Structure Separation** is 25 feet to another principal structure and 17.5 feet is proposed. The applicant indicated that a 17.5-foot setback shall only be used as necessary to construct side-loaded garage units. The current side yard and building separation requirements limit the size and type of building that could be placed on the lots. This divergence allows every lot in this subdivision to have side-loaded garages, maintaining 25' or greater building separation except in cases where a side-loaded garage home is located directly adjacent a front-loaded garage home.

***Staff Comment:** Provided Zoning and Building Safety support this request, Staff has no concerns.*

4. **Section 24.09(B)(1) – Minimum residential driveway setback** from side or rear lot lines is five (5) feet and two (2) feet is proposed. The applicant stated that a two (2) foot driveway setback will allow for a greater number of side-loaded garage units to be placed on the site.

***Staff Comment:** Staff has no concerns with this request as it was part of the original approved plan.*

#### **Staff Comments**

Staff finds that the proposed changes are more in-line with what was recommended with the previous rezoning, Staff's previous comments were addressed and it appears the Trustees conditions of approval for the previous rezoning can be met.

#### **Staff Recommendations**

(RPC 39-25 ZON) Staff recommends **Approval** of the rezoning request by Del Fontaine Ltd. of 1.21 acres from R-1.85/PRD to FR-1 to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees.

(RPC 40-25 ZON) Staff recommends **Conditional Approval** of the rezoning request by Del Fontaine Ltd. of 49.70 acres from R-1.85/PRD and FR-1 to R-1.85/PRD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

- 1.) *Ensure Building Safety has no concerns with the Side Yard and Building Separation divergence requests. Otherwise, amend the plan to meet the minimum requirements per zoning.*

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## VARIANCE

### 22-25.V Britonwoods Reserve – Genoa Twp. – Requesting sidewalk variance (Sec. 204.02)

#### Request

The applicant is requesting a variance to Section 204.02 of the Delaware County Subdivision Regulations regarding the requirement of sidewalks.

The proposed subdivision is located on 30.814 acres at the northern terminus of Britonwoods Drive, between Red Bank Road and Hughes Road.

#### Facts

1. The applicant seeks to create a 9-lot subdivision;
2. The site is 30.814 acres and consists of parcel 31741101032000 and a portion of 31741101018000;
3. The land is zoned RR, with a minimum 2-acre lot size; and
4. Relevant section of the Subdivision Regulations:
  - **“204.02 Proposed Features: (i.):** Sidewalks or bike/pedestrian paths shall be required on at least one side on any street except in the case of a Common Access Driveway;”

#### 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 comment:** “I am requesting this variance because the road which we are extending, Britonwoods Drive, does not have a sidewalk to extend, and we would therefore be creating a ~400 ft. sidewalk “island”.

**Staff comment:** Staff agrees that Britonwoods, Section 1 subdivision did not construct sidewalks to date. However, it was noted in Staff’s review of Britonwoods Preliminary Plan and Final Plat that a sidewalk would be placed on one side of the subdivision streets. The Genoa Township Zoning department also noted in their Preliminary Plan review letter that sidewalks are not required per zoning, but would like to see them included; the applicant’s engineer (Varo Engineering) confirmed with both the Township and



RPC that sidewalks would be installed on at least one side of the subdivision street.

The first stated purpose of the Subdivision Regulations is “to secure and provide for the public health, safety, comfort, and general welfare.” The sidewalk requirement was adopted to ensure that subdivisions that don’t have to go through the rezoning process (which typically end up requiring sidewalks as part of that process) also provide sidewalks on at least one side of the road. Not only do sidewalks provide a safe place for residents, including children, to walk, run, and play in this quickly-developing area, numerous studies have shown that good pedestrian network connectivity and walkability have a positive impact on land values.

While Staff would like to see sidewalks extended through Britonwoods Section 1 and Britonwoods Reserve, there are no connections that can be made to neighboring subdivisions or along Red Bank Road and Hughes Road. Therefore, Staff supports this variance request.

### Staff Recommendation

DCRPC staff recommends *Approval* of the variance request from Sec. 204.02 of the Subdivision Regulations for **Britonwoods Reserve** to waive the sidewalk variance request, based on the Findings of Fact.

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## SUBDIVISION PROJECTS

### Preliminary

22-25                      Britonwoods Reserve – Genoa Twp. - 9 lots / 30.814 acres

### Conditions

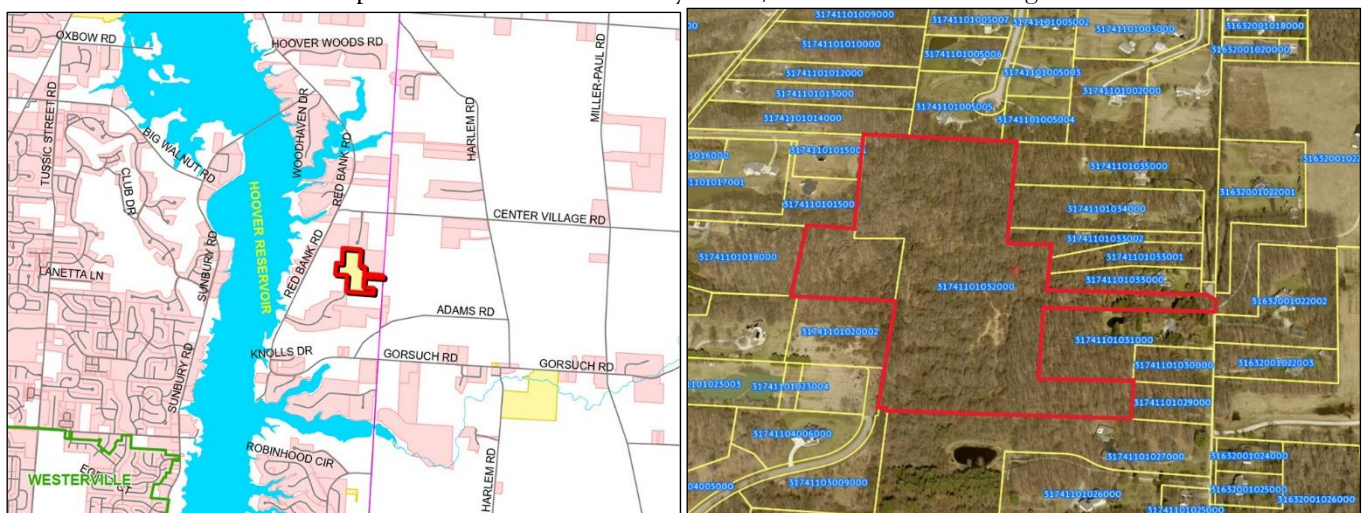
**Applicant:** Leland Vogel / **Engineer:** CEC Inc.

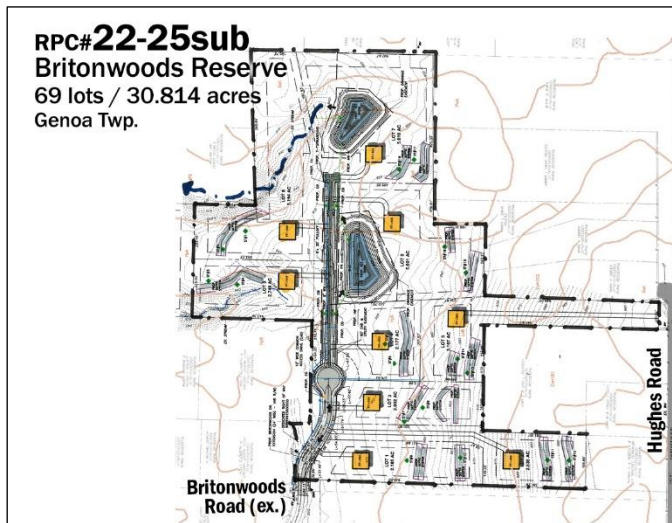
**Subdivision Type:** Single-Family Residential with a CAD

**Location:** North of Britonwoods Dr., west of Hughes Rd.

**Current Land Use:** Vacant / **Zoned:** Rural Residential

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





### Staff Comments

The request is for Preliminary Plan approval to create a nine (9) lot single-family residential development. Three (3) lots will gain access off of the Britonwoods Drive extension, one (1) lot will gain access off of Hughes Road and five (5) lots will utilize the Common Access Driveway (CAD). The site is located at the northern terminus of Britonwoods Drive, west of Hughes Road.

### History

Three Sketch Plans have been submitted and reviewed for this property since 2022. The previous proposals ranged from 10 to 11 lots, with different road configurations and connections. Staff notes that the Preliminary Plan submitted is the least intense, but does not include any road connections. While the original Preliminary Plan for Britonwoods included an additional access to Red Bank Road, development of the area and land transfers have now made that connection not possible. This project will terminate the road in a proper cul-de-sac as required by DCEO.

*A technical review was held on December 9, 2025, after which the applicant has addressed all of the required changes.*

### Staff Recommendation

Staff recommends *Preliminary Approval* of **Britonwoods Reserve** to the DCRPC.

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## OTHER BUSINESS

## POLICY / EDUCATION DISCUSSION

## RPC STAFF AND MEMBER NEWS

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, January 29, 2026, at 6:00 PM in the Buxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.*