



Variance Application
Delaware County, Ohio
(for unincorporated areas only)

RPC Number 02-23.V
(RPC Staff will assign)

PROJECT	Berlin Twp Mixed Use Development	(circle one) Residential <u>Commercial</u>
TOWNSHIP	Berlin Twp	
Subdivision Regulations Section for which Variance is sought: <u>Plot extension</u> 102.03, 204.04		

APPLICANT/ CONTACT	Name <u>T+R Properties, R.J. Sabatino</u>
	Address <u>3895 Stoneridge Ln</u>
	City, State, Zip <u>Dublin, OH 43017</u>

PROPERTY OWNER	Name <u>T+R Properties, R.J. Sabatino</u>
	Address <u>3895 Stoneridge Ln</u>
	City, State, Zip <u>Dublin, OH 43017</u>

SURVEYOR/ ENGINEER	Name <u>Jonathan Phelps</u>
	Address <u>781 Science Blvd., Suite 100</u>
	City, State, Zip <u>Gahanna Ohio 43230</u>

LOCATION	(circle one) N <u>(S)</u> E W side of US 36/ SR 37	Road/Street
	approx. 100 feet N <u>(S)</u> E W of Plunkel Road	Road/Street

DETAILS	Farm Lot <u>2, 3 & 4</u>	USML/VMS <u>Quarter Township 4 Township 1, Range 16</u>
	Buildable lots <u>four</u>	Total Acreage <u>116.565 acres</u>

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.

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

[Signature] 12-19-23
Owner (or agent for owner) and Date

Delaware County Regional Planning Commission, 1610 State Route 521, P.O. Box 8006
Delaware, OH 43015 (740) 833-2260

Effective 6/1/01/24

T&R Properties



December 29, 2025

Scott Saunders
Director
Delaware County Regional Planning Commission
1610 State Route 521
Delaware Ohio 43015

Scott:

This letter is to request an extension for the Berlin Mixed Use Development project located in Berlin Township, Ohio.

We are requesting a 12-month extension. This extension will provide time for ongoing litigation against Berlin Township to proceed and conclude.

Due to this unique characteristic and situation, we qualify for this requested based upon our satisfaction of the below:

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.

Although we are in litigation with Berlin Township, we have attempted to and have advanced engineering as much as possible and will continue to do so. Our justification for this variance is: our request is extremely minor, it seeks to maintain the status quo, and our property is subject to federal litigation that is contingent upon the property being ripe for development which includes this approval extension request remaining viable.

Respectfully,

RJ Sabatino
T&R Properties, Berlin Industrial LLC,, and Berlin Apartments LLC