

# 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



## *\*MINUTES\**

Thursday, July 30, 2026 at 6:00 PM  
Byxbe Campus Conference Room, 1610 State Route 521,  
Delaware, Ohio 43015

### ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of June 25, 2026 RPC Minutes
- Executive Committee Minutes of July 22, 2026
- Statement of Policy

### CONSENT AGENDA (Final Plats)

|         |                                  | Township | Lots/Acres             |
|---------|----------------------------------|----------|------------------------|
| 06-25.1 | Seven Hills of Berlin, Section 1 | Berlin   | 42 lots / 31.366 acres |
| 07-26   | Bluffs at Alum Creek             | Berlin   | 1 lot / 37.479 acres   |

### ZONING MAP/TEXT AMENDMENTS

19-26 ZON Pennant Construction LLC - Liberty Twp. - 10.2 acres - RR-1 to PCD (The Exchange)

### VARIANCE

12-26.V Timothy Dickens - Berlin Twp. - The Coves Subdivision - Sec. 306.02 - Additional lots on CAD

### OTHER BUSINESS

- 2024-2025 State Audit complete

## ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

Representatives: David Weade, Don Sutton, Sebastien Bernaert, Ric Irvine, Duane Matlack, Gary Merrell, Glynnis Dunfee, Sarah Holt, Joe Shafer, Mike Cannon, David Willyerd, Jenna Rodman, Robin Duffee, Randy Leienberger, Bill Zieber, Dan Boysel, Ryan Stoner, Mike Dattilo and Doug Price. Alternates: David Setzer, Chad Green, and Bob Lohr. Arrived after roll call: Joe Proemm (R). Staff: Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

- **Approval of the RPC Minutes June 25, 2026**

*Mr. Duffee made a motion to Approve the June 25<sup>th</sup> minutes as presented. Mr. Matlack seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **July 22, 2026 Executive Committee Minutes**

### A. Call to order

Chairman Shafer called the meeting to order at 9:00 a.m. *Present:* Joe Shafer, Robin Duffee, Tiffany Maag, Gary Merrell and Sarah Holt. *Staff:* Brad Fisher and Stephanie Matlack.

### B. Approval of Executive Committee Minutes from June 22, 2026

*Mr. Merrell made a motion to Approve the minutes from June 22<sup>nd</sup>. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

### C. New Business

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

| REGIONAL PLANNING RECEIPTS                     |        | JUNE        | YTD TOTAL    |
|------------------------------------------------|--------|-------------|--------------|
| General Fees (Lot Split)                       | (4201) |             | \$7,102.00   |
| Fees A (Site Review)                           | (4202) | \$1,000.00  | \$7,100.00   |
| Insp. Fees (Lot Line Transfer)                 | (4203) | \$300.00    | \$2,000.00   |
| Membership Fees                                | (4204) |             | \$288,036.00 |
| Planning Surcharge (Twp. Plan. Assist.)        | (4205) | \$850.68    | \$11,786.67  |
| Assoc. Membership                              | (4206) |             |              |
| General Sales                                  | (4220) |             |              |
| Charges for Serv. A (Prel. Appl.)              | (4230) | \$4,622.69  | \$48,613.07  |
| Charges for Serv. B (Final. Appl.)             | (4231) | \$12,515.62 | \$53,030.79  |
| Charges for Serv. C (Ext. Fee)                 | (4232) |             | \$1,200.00   |
| Charges for Serv. D (Table Fee)                | (4233) |             | \$600.00     |
| Charges for Serv. E (Appeal/Var.)              | (4234) |             | \$1,500.00   |
| Charges for Serv. F (Planned District Zoning)  | (4235) | \$500.00    | \$2,750.00   |
| Charges for Serv. G (Easement / Plat Vacation) | (4236) |             | \$500.00     |
|                                                |        |             |              |

|                                |        |                    |                     |
|--------------------------------|--------|--------------------|---------------------|
| OTHER DEPT. RECEIPTS           |        |                    |                     |
| Health Dept. Fees              | (4242) | \$100.00           | \$2,650.00          |
| Soil & Water Fees              | (4243) | \$600.00           | \$5,100.00          |
| Commissioner's fees            | (4244) | \$300.00           | \$951.00            |
|                                |        |                    |                     |
| 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>\$20,788.99</b> | <b>\$432,919.53</b> |

|                                     |                     |
|-------------------------------------|---------------------|
| Balance after receipts              | \$1,213,883.02      |
| Expenditures                        | <u>\$ 42,089.57</u> |
| End of June balance (carry forward) | \$1,171,793.45      |

*Ms. Maag made a motion to Approve the Financial report, subject to Audit. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

2. RPC Preliminary Agenda July

- a) Sketch Plans
 

|                              | <u>Township</u> | <u>Lots/Acres</u>      |
|------------------------------|-----------------|------------------------|
| • 6870 Fleur Dr. Split (CAD) | Genoa           | 2 lots / 4.93 acres    |
| • The Ravines at Klondike    | Concord         | 12 lots / 48.723 acres |
  
- b) Zoning Map / Text Amendments
  - Pennant Construction LLC – Liberty Twp. – 10.2 acres – FR-1 to PCD (The Exchange)
  
- c) Subdivision Projects
 

|                                    | <u>Township</u> | <u>Lots/Acres</u>      |
|------------------------------------|-----------------|------------------------|
| <u>Final</u>                       |                 |                        |
| • Seven Hills of Berlin, Section 1 | Berlin          | 42 lots / 31.366 acres |
| • Bluffs at Alum Creek             | Berlin          | 1 lot / 37.479 acres   |
  
- d) Variance
  - Timothy Dickens – Berlin Twp. – The Coves Subdivision – Sec. 306.02 – Additional lots on CAD

3. Director's Report

**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. **Staff met on July 8<sup>th</sup> to discuss activity.**

**Transportation Advisory Committee**

Hosted by MORPC, these are monthly in-person meetings. **Scott attended on June 3<sup>rd</sup>.**

#### **Active Transportation Committee**

Hosted by MORPC, these are meetings that occur quarterly. Active transportation projects are shared – most activity is urban in nature, occurring in Columbus and suburbs. The Active Transportation Committee provides a forum to share information about best practices and collaborate on shared interests. **Brad attended the Q3 meeting on July 29<sup>th</sup>.**

#### **County Planning Directors Association of Ohio**

Summer meeting in Wayne County (Wooster) on July 13. It was well attended and included a presentation about Data Centers in Ohio and the Farmland Preservation and Agricultural Security Areas from the Dept. of Ag. **Scott attended.** There are also continued conversations related to adding Comprehensive Plan language to the Ohio Revised Code. A recent House Bill no longer includes language, but this group will participate in a conversation with Ohio APA in early August.

#### **DCRPC-Managed Projects**

##### **Harlem Township Comprehensive Plan**

Update to the latest plan, incorporating recent Strategic Plan recommendations and new overlay language. **Scott reviewed the first few chapters with the Zoning Commission on July 13.**

##### **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 presented a final draft of the plan to the Steering Committee on July 21<sup>st</sup>.**

##### **Scioto Township Comprehensive Plan**

Update to the Township's 2005 plan. **Brad presented an overview of what to expect to the general public and Steering Committee in June and will be starting the plan update in August.**

##### **Concord Township Comprehensive Plan**

Update to the 2018 plan with 2021 updates. Trustees reviewed on July 20th, **Scott is waiting on a date for potential adoption.**

##### **Delaware County Trail Forum**

The Delaware Public Health District, in partnership with the City of Delaware Parks & Recreation and the Delaware County Regional Planning Commission, is planning a **County Trail Forum on Thursday, October 1.** This forum will bring together representatives from across the county, including townships, villages, cities, and community partners, to share information, align planning efforts and goals, and strengthen trail development and connectivity. A survey is live and available to help gauge interest in the Forum. **Brad met with the Trail Forum group on July 17<sup>th</sup> to discuss planning efforts.**

##### **Delaware County Trail Committee**

Scott and Brad met with the Committee on June 17<sup>th</sup> to set deadlines for the next round of grant applications and update materials. Jane at the County sent out the notice and Scott added it to the monthly meeting notice. **(Scott reported this last month but now the notice has gone out.)**

#### **Project-specific/other meetings**

**Sunbury Parkway:** Interchange work is well underway. Link below has changed to the project link.

<https://www.transportation.ohio.gov/projects/projects/90200>

**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>

ODOT is studying a connection between U.S. 23 and Interstate 71. New public open houses have been scheduled. <https://publicinput.com/23-71study>

4. State Audit

- Received email confirmation that the audit was essentially complete and there were no concerns.

D. Old Business

1. Discussion of County Plan / website – Chairman Shafer mentioned that he had some recommendations. Further discussion will take place at the August meeting.

E. Adjourn

*Having no further business, Ms. Holt made a motion to adjourn the meeting at 9:30 a.m. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, August 19, 2026 at 9:00 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)

06-25.1      Seven Hills of Berlin, Section 1 – Berlin Twp. - 42 lots / 31.366 acres

### Conditions

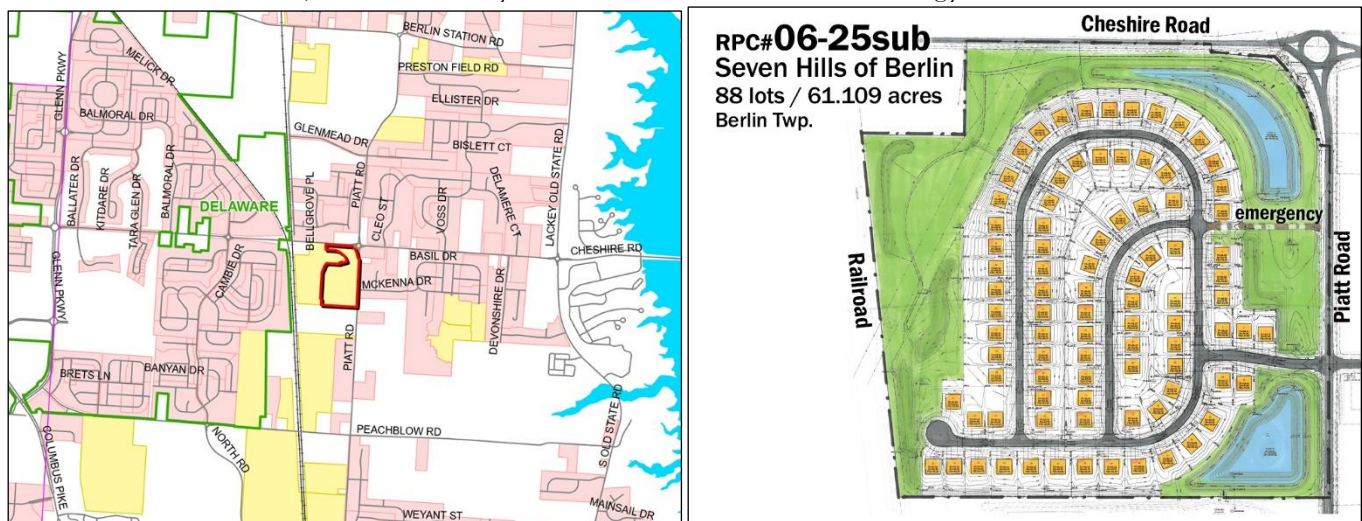
**Applicant:** Drees Homes / **Engineer:** Terrain Evolution

**Subdivision Type:** Single Family Residential

**Location:** west side of Piatt Road, south of Cheshire Rd.

**Zoned:** R-1.85/PRD / **Preliminary Approval:** 04/24/25

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



### Staff Comments

Seven Hills of Berlin, Section 1, is a residential subdivision with 42 buildable lots and three reserve lots. All lots will front on internal subdivision streets, with the main point of ingress/egress located along Piatt Road. Preliminary approval was granted on April 24, 2025 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 **Seven Hills of Berlin, Section 1** to the DCRPC.

### Commission / Public Comments

*Ms. Holt made a motion for Final Approval of Seven Hills of Berlin, Section 1. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

07-26 Bluffs at Alum Creek – Berlin Twp. - 1 lot / 37.479 acres

**Conditions**

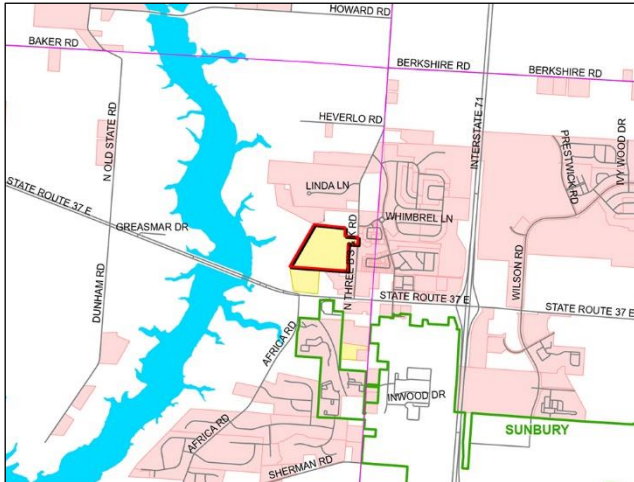
**Applicant:** M/I Homes / **Engineer:** EMH & T

**Subdivision Type:** Single Family condominiums

**Location:** West side of 3 Bs & K Rd., north of U.S. 36/S.R. 37

**Zoned:** Transitional Planning Unit Development (TPUD) / **Preliminary Approval:** 06/25/26

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



**Staff Comments**

Bluffs at Alum Creek is a single-family detached condominium development with 106 units. There is 16.5-acres of dedicated open space, all lots are served by private streets, and the main point of ingress/egress is located along N. Three B's and K Road. Preliminary approval was granted on June 25, 2026 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 **Bluffs at Alum Creek** to the DCRPC.

**Commission / Public Comments**

*Ms. Holt made a motion for Final Approval of Bluffs at Alum Creek. Mr. Price seconded the motion.*

*VOTE: Unanimously For, 0 Opposed. Motion carried.*

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## ZONING MAP/TEXT AMENDMENTS

19-26 ZON Pennant Construction LLC – Liberty Twp. – 10.2 acres – RR-1 to PCD (The Exchange)

### Request

The applicant, Pennant Construction LLC., is requesting a 10.2-acre rezoning from RR-1 to PCD to allow the lots to be developed into The Exchange with professional offices and services as well as fitness/recreation.

### Conditions

**Location:** south side of Clark-Shaw Rd., east of Rolling Hills Rd.

**Current Land Owner:** Kevin Shrager and Stephen Braun

**Current Zoning:** Rural Residential (RR-1) / **Proposed Zoning:** Planned Commercial (PCD)

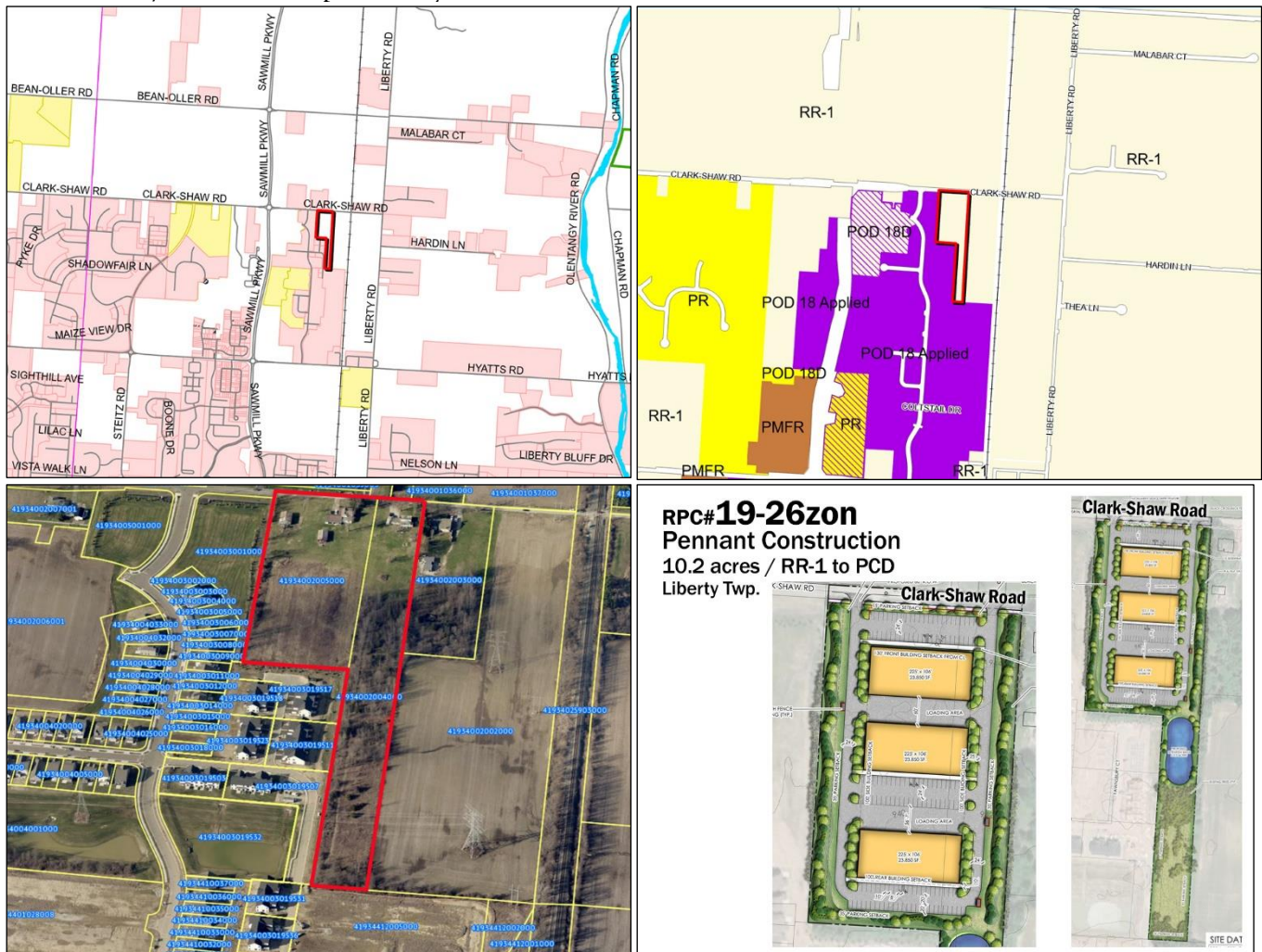
**Current Use(s):** single-family residential/ **Proposed Use(s):** planned commercial

**Surrounding Uses:** Single-family residential

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

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

**Traffic Study:** A Traffic Impact Study must be submitted to the DCEO for review.





### Introduction

The area to be rezoned is located on the south side of Clark-Shaw Road and abuts the Clarkshaw Crossing residential subdivision to the west and Townhomes at Clarkshaw Crossing condominiums to the south. All surrounding properties are zoned to allow for residential uses (RR-1 and POD-18) and developed with single-family and multi-family (single detached condo) homes. The applicant seeks to rezone 10.2-acres to PCD to allow Professional Offices & Services and Fitness/Recreation Centers. Staff notes that those uses are permitted in the PCD.

The Development Plan indicates the site will be developed with three office buildings that are each 23,850 square feet in size, 144 parking spaces, landscape buffering on all sides, one stormwater pond, two access points along Clark-Shaw Rd. and an 8-foot-wide multi-use path along Clark-Shaw Road.

### Comprehensive Plan

Liberty Township's 2025 Comprehensive Plan recommends only residential uses for this site, and does not support commercial development. The use in general may be a positive addition to the township; however, it is not supported for this specific site. There are other areas of the Township that are recommended for PCD, with one example being the two lots just to the west of this site at the corner of Clark-Shaw Rd. and Sawmill Pkwy.

### Issues

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

There are two points of ingress/egress proposed along Clark-Shaw Rd., one on each side of the property. There is an internal private drive that loops around the property, with parking distributed throughout. Staff notes that approximately 48 parking spaces are located between the front building and the Clark-Shaw Rd. right-of-way. All parking should be located to the rear of the first building to preserve the residential character of the area.

#### **Drainage:**

A drainage plan was not submitted, but a 0.5-acre retention pond is shown on the site plan. DCEO requires a detailed stormwater management report during Final Engineering.

#### **Signage:**

One monument-style sign is proposed at the western entrance outside of the right-of-way. This sign is 7.5 feet tall, with a masonry base and top metal cabinet that displays "THE EXCHANGE."

### **Lighting:**

A lighting plan was provided and the Development Text states that “low height downlighting will be utilized for general and security illumination on site.”

### **Sanitary Treatment:**

The development will utilize public sanitary sewer, and the Delaware County Regional Sewer District has provided a serviceability letter.

### **Divergences**

One divergence is requested:

1. Sec. 4.07: The maximum permitted building height is 40 feet and the proposed height is 55 feet (15-foot difference). The reason for this divergence is to complement the barn-like architecture already established in the township, and to preserve the rural character of the area referenced in the Liberty Township Comprehensive Plan. Exhibit F-1 shows an example of the architectural elevations.

***Staff Comment:** Staff has no concerns with this request provided the roof pitch is acceptable to the Delaware County Building Safety Department, the roof design does not detract from the character of the area, and the overall height does not negatively impact the neighbors.*

### **Staff Comments**

While this development has the potential to provide office and recreational services to the growing community in Liberty Township, and generally meets zoning requirements, the proposed zoning is not supported by the Comprehensive Plan. This would also be a commercial use surrounded by existing single-family homes, which would be out of character for this area.

### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Pennant Construction LLC from RR-1 to PCD to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *based on the Liberty Township Comprehensive Plan recommendations.*

*If the rezoning request is supported by the Liberty Township Zoning Commission and Trustees, Staff has the following recommendations:*

1. Move the parking area to the rear of the front building;
2. Add windows or architectural elements along the front and sides of the buildings to add character to the façade;
3. Provide a Line of Sight plan to ensure the proposed roof height does not negatively impact the neighbors; and
4. Consider the noise that would be created from loading/unloading delivery vehicles (engine idle, backup alarms, etc.) and rolling metal shop doors.

### **Commission / Public Comments**

Mr. Todd Faris, Faris Planning and Design, was present to represent the applicant. He stated they oriented the loading doors facing the adjacent buildings to limit the sound. They will also be providing additional screening. As for the look of the buildings, this was in response to the request from the Township.

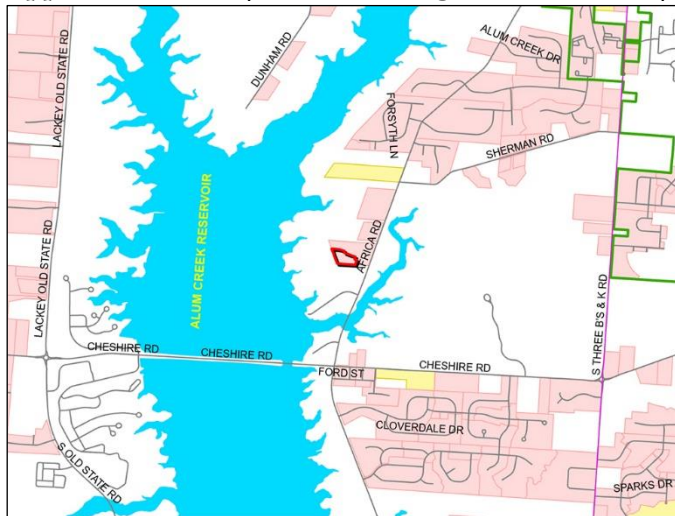
***Ms. Holt made a motion for Denial, based on staff recommendation. Mr. Merrell seconded the motion.***

**VOTE: Majority For Denial, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.**

## VARIANCE

12-26.V Timothy Dickens – Berlin Twp. – The Coves Subdivision – Sec. 306.02 – Additional lots on CAD

**Applicant:** Timothy Dickens / **Engineer:** Aaron Heydinger



**RPC#12.26.V**  
**Timothy Dickens/The Coves**  
Sec. 306.02 - Additional lot on a CAD  
Berlin Twp.



## Request

The applicant, Timothy Dickens, is requesting an additional lot on a Common Access Driveway subdivision. The site is located on the west side of Africa Rd., north of Cheshire Rd. The recorded Cove subdivision includes 5 lots on a CAD with 1 frontage lot that gains access off of Africa Rd.

## Facts

- 1) Section 306.02 of the Subdivision Regulations states that “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”;
- 2) The Cove Subdivision includes 6 lots with 5 lots utilizing a Common Access Driveway; and
- 3) The Cove Subdivision was recorded in June 1993.

## 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.

### **Applicant:**

- All owners taking access from the CAD have provided written consent authorizing this lot split, as reflected in the attached documentation.

- All existing structures on the property comply with the applicable setback requirements for the FR-1 district.
- The site is served by public sanitary sewer rather than septic, which is uncharacteristic of most CAD developments and removes on-site wastewater treatment as a concern. As indicated on the attached Utility Service letter, sewer already accesses both buildings and no service changes are required. A maintenance easement will be provided.
- Del-Co Water reviewed the lot split and reported no concerns. A 3-inch water main already runs along the CAD and is currently being used by both buildings with pressure of approximately 85-90psi. As indicated on the attached Utility Service letter, a new tap, service line and easement will be required.
- The CAD drive is paved rather than gravel, a higher standard than typical for CADs, which supports emergency vehicle access.
- The existing driveway serving Lot 496 crosses Lot 4961 (shown on site plan) outside of a recorded easement. This will be resolved by recording an access agreement/easement, and by submitting an amended CAD Maintenance Agreement executed by all affected owners, consistent with Staff's comments.
- The lot immediately south of the site is already developed with a single-family home, and all other adjoining land is non-developable U.S. Army Corps (USA) property, limiting any additional impact to other parties.

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

***Applicant:***

- Lot 496 is already part of a platted CAD subdivision established by a 1991 variance permitting six lots; the parcel's access and utility configuration were set by that prior approval, not created by this application.
- The property is served by public sanitary sewer and a paved CAD drive, which Staff has identified as atypical for CAD subdivisions in the county generally.
- An existing accessory structure and pond on the site constrain how the lots can be configured; the pond will be addressed with a maintenance easement as it is divided between the resulting lots.
- With the exception of the developed lot to the south, all surrounding land is non-developable USA property, precluding the alternative access points, road connections, or open-space connections that would ordinarily be available on a comparable parcel.

- 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.

***Applicant:***

- The existing site configuration, including both structures, the pool, and the pond, predates the current owner's acquisition of the property, which was purchased at a foreclosure auction in 2010. These improvements were not created by the current owner and materially limit the options available for the lot. Given this pre-existing configuration, the resulting lot split adds minimal density and would have no discernible impact on the surrounding community.
- Because the property is bounded by already-developed CAD lots and by USA land, no configuration exists that would allow an additional lot to be created outside the established CAD or with independent road frontage.

- 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:***

- Berlin Township zoning requirements are met.
- While the Subarea 6 comprehensive plan recommends one dwelling unit per two acres, the site already exceeds typical CAD standards through public sewer service and a paved drive, supporting the underlying health, safety, and service objectives the comprehensive plan is intended to protect.
- No vehicular, pedestrian, or open-space connections to adjacent land are affected by this variance. Staff confirmed no such connection opportunities exist for this site, given the surrounding developed lot and USA land, independent of lot configuration.
- The applicant will comply with other conditions identified in Staff's review, including an access easement, an amended CAD Maintenance Agreement executed by all affected owners, and a maintenance easement over the divided pond, preserving the function these regulations are intended to ensure for CAD subdivisions.

***Applicant's Response:*** "I purchased this property at a foreclosure auction in 2010 and have lived there since. The existing configuration, including both houses, the pool, and the pond, was already in place at that time and was not something I created. My youngest son has now finished high school, and I no longer have a need to occupy a large house while a second, fully built structure on the same property sits unoccupied. Splitting the property into two lots allows both structures to be put to appropriate use.

I have a good relationship with my neighbors and they support this split. I don't anticipate any significant impact on their use or enjoyment of their properties as a result of this request. I also don't believe this creates any burden on the community. The utility infrastructure and the common access drive already exist and are already in use; any access matters between the resulting lots can be addressed through straightforward easements.

I have addressed all points brought to my attention during the sketch review process and the requirements of the variance application to the best of my ability. I appreciate the Commission's time in reviewing this request and am happy to provide any additional information needed."

**Staff comments:**

As described by the applicant, the existing Coves CAD subdivision is unique in many ways; the development is served by public water and sanitary sewer, the drive is paved instead of gravel, this lot is surrounded to the west and southwest by USA lands that will not be developed, a new maintenance easement can be created to ensure the existing pond will be adequately maintained, and the CAD easement is already established and will remain unchanged. Additionally, the creation of this new lot is likely not visible from the Africa Road right-of-way or surrounding lots and will appear to be unchanged as the existing accessory structure is intended to be repurposed into a single-family home. However, the accessory structure will first need to receive a full review and occupancy permit from the Delaware County Building Safety Department before it is considered a livable space.

**Staff Recommendation**

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, the variance request from Sec. 306.02 for the **Cove Subdivision** be **Approved**.

**Commission / Public Comments**

Mr. Tim Dickens, applicant, was present and sworn in. He explained that he bought this property at a Sheriff's sale in 2010. All buildings were present at purchase. He is looking at retiring and downsizing. He stated the existing accessory structure has been rented out for 10 years.

Mr. Matlack presented historical research regarding the structure, noting it was constructed in 2003 by Brad Holbert. Midway through construction, the builder attempted to convert the project into a residential property. However, after the Building Safety Department raised concerns regarding an egress window, the builder submitted an affidavit classifying the structure as an accessory building.

Mr. Matlack expressed confidence that the non-compliant issues can be resolved and recommended scheduling a meeting with the Building Safety Department to determine the required steps for full residential compliance.

Mr. Bernaert questioned whether all the utilities were separate from the main residential structure. Mr. Dickens stated that the only utility not separate is water. He has already spoken with Delco Water about doing that.

Mr. Weade asked if they paid for a separate sewer tap for the second building and if they did, how did it get approved? Mr. Sanders noted that he understood that there are two taps.

Mr. Sanders explained that the request is for adding an additional lot. The applicant would still need to go through the platting process to split the lot and reconfigure the maintenance agreement.

Mr. Merrell suggested looking into how a second tap was issued.

***Mr. Price made a motion to Approve the Variance request to add an additional lot to the Cove Subdivision. Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Berlin and Brown Twp.'s). Motion carried.***

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**OTHER BUSINESS**

- 2024-2025 State Audit complete – There were “no significant compliance or accounting issues to report.”

***Having no further business, Mr. Boysel made a motion to adjourn the meeting at 6:25 p.m. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 27, 2026, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.***