Franklin County
Where Government Works

Commissioner Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

Franklin County Planning Commission

Franklin County Courthouse
373 South High Street - Lobby
Meeting Room A
Columbus, OH 43215

Tuesday, November 17, 2015
1:30 pm

1. **Call roll for board members**
2. **Introduction of staff**
3. **Swearing in of witnesses**
4. **Approval of minutes from the October 14, 2015 meeting**
5. **New Business**

   i. **672-V – Matt Brown – Requesting to table until December 9, 2015**

Applicant/Owner:	Rhea Chung & Hong Dong HWA
Township:	Plain Township
Site:	4915 Babbitt Rd. (PID #220-000487)
Acreage:	8.563 acres
Utilities:	Private water and wastewater
Request:	Requesting a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

   ii. **JACK-15-07 – Matt Brown**

Applicant/Owner:	David Pando
Owner:	Ronald Kientz
Township:	Jackson Township
Site:	5506 Harrisburg (PID #160-000178)
Acreage:	31.65 - acres
Zoning:	Semi-Residential District
Utilities:	Private water and wastewater
Request:	Requesting to rezone from the Semi-Residential District to the Exceptional Use District

6. **Adjournment of meeting to December 9, 2015**

150 South Front Street, FSL Suite 10 Columbus, Ohio 43215-7104
Tel: 614-525-3094 Fax: 614-525-7155 www.FranklinCountyOhio.gov

Franklin County
Where Government Works

Commissioner Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

MINUTES OF THE
FRANKLIN COUNTY PLANNING COMMISSION

Wednesday, October 14, 2015

The Franklin County Planning Commission convened in Meeting Room A, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Wednesday, October 14, 2015.

Present were:
Nancy White, Chairperson
Dan Blechschmidt
Roxyanne Burrus
Chet Chaney
Ashley Hoye
Debbie Johnson
Jason Sanson
Kevin Wheeler
Marty Wicks

Franklin County Economic Development and Planning Department:
Matt Brown, Planning Administrator

Chairperson White opened the hearing.

The first order of business being the roll call of members, the introduction of staff and the swearing in of witnesses. The next order of business being the approval of the minutes from the September 9, 2015, meeting. Mr. Chaney made a motion to approve the minutes from the September 9, 2015, meeting. It was seconded by Mr. Blechschmidt. The motion was approved by a vote of five yeses with one abstention.

OLD BUSINESS:

The next item of business being Case No. 672-V. The Applicant is Rhea Chung and Hong Dong HWA. The township is Plain Township. The location is 4915 Babbitt Road. It is 8.563 acres and is served by private water and wastewater. The request is to table the case until the November 17, 2015, meeting. Mr. Blechschmidt made a motion to remove the case from the table. It was seconded by Mr. Chaney. The motion was approved by a six-to-zero vote. Mr. Sanson made a motion that Case No. 672-V be tabled until the November 17, 2015 meeting. It was seconded by Mr. Chaney. The motion was approved by a six-to-zero vote.

NEW BUSINESS:

The next item of business being Case No. 667-FP(b). The applicant is Pulte Homes of Ohio, LLC. The engineer is Matthew Kirk of EMH&T. The township is Jefferson Township. It is located at 1290 Waggoner Road. The subdivision is Villages at Jefferson Run. The site is 9.62 acres. And the request is for Final Plat approval to allow the creation of 27 single-family lots and one reserve with 3.41 acres of open space. Mr. Brown read and presented the case to the Franklin County Planning Commission. (Ms. Johnson and Mr. Wicks joined the hearing.) Mr. Chaney made a motion to approve Case No. 667-FP(b). It was seconded by Ms. Johnson. The motion was approved by an eight-to-zero vote.

The next item of business being Case No. JEFF-15-06. The Applicant is M/I Homes of Ohio, LLC. The owners are Linda L. Holliday, TR, Barry W. Smith, Gary R. Kitsmiller, Forrest A. Lines, Diana L. Garvey, Linda L. Holliday, TR, and Ryan Kitsmiller. The township is Jefferson Township. It is serviced by public water and wastewater. The zoning is Restricted Suburban Residential (RSR). The site 62.8 acres. And the request is to rezone to the Planned Suburban Residential District. Mr. Brown read and presented the case to the Franklin County Planning Commission. Mr. Chaney made a motion to approve the application. It was seconded by Mr. Wicks. The motion was approved by a seven-to-one vote.

The next item of business being Case No. ZON-15-03. The Applicant is Franklin County Rural Zoning Commission. The township is Franklin Township. The subdivision is the Westbrook Subdivision. It is zoned Rural and Suburban Apartment Residential (R-24). It is serviced by pubic water and wastewater. And the request is to rezone all lots and reserves within the Westbrook Subdivision, with the exception of Lots 74-91, 107-112, 176-186, and Reserve A, from the Suburban Apartment Residential (R-24) and Rural Districts to the Urban Residential (R-12) District. Mr. Brown read and presented the case to the Franklin County Planning Commission.
Mr. Blechschmidt made a motion to approve Case No. ZON-15-03. It was seconded by Mr. Chaney. The motion was approved by an eight-to-zero vote.

There being no further business coming before the Franklin County Planning Commission, Ms. Johnson made a motion to adjourn the hearing. It was seconded by Mr. Chaney.

By unanimous vote, the hearing was adjourned at 3:19 p.m.

Minutes of the October 14, 2015, Franklin County Planning Commission hearing were approved this 17th day of November, 2015.

_____

Signature

Franklin County
Where Government Works

Commissioner Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Planning Commission
November 17, 2015

Case: 672-V
Prepared by: Matt Brown

Applicant/Owner:	Rhea Chung and Hong Dong HWA
Agent:	Colin Depew, Shafer Law Offices, LLC
Township:	Plain Township
Site:	4915 Babbitt Road (PID# 220-000487)
Acreage:	8.563-acres
Zoning:	Rural District
Utilities:	Onsite water and waste water
Request:	Requesting a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

Summary:
The applicant is requesting a variance to allow a lot split that will result in a lot that will fail to meet the required depth to width ratio of 4:1. The applicant has failed to satisfy the criteria necessary to grant a variance. Staff recommends ***denial***.

Request:
The site is located on the west side of Babbitt Road, just north or Morse Road in Plain Township. The site is developed with a single-family home and detached accessory building. The majority of the site is wooded and may contain wetlands. The applicant has not provided a wetland delineation or determination to know if wetlands do exist.

The applicant is proposing to split the property into a 1.652 acre property, containing the home and accessory building, and a 6.918 acre wooded parcel. The proposed lot split will result in the creation of a lot that fails to meet the maximum depth to width ratio of 4 to 1. The 6.918 acre property will have a depth to width ratio of approximately 9 to 1.

Surrounding Zoning and Land Use:
The surrounding area is zoned, and mostly used, for low to medium density residential uses.

Comprehensive Plan:
The Plain Township Land Use Master Plan, adopted 2008, recommends the subject area to develop as residential planned unit development. The plan also recommends the preservation of natural features including wetlands.

The Rocky Fork-Blacklick Accord, updated in 2003, identifies Babbitt Road as a Natural/Rural Corridor and recommends the area develop as Rural Residential. The Accord also recommends the preservation of natural features including wetlands.

The request does not comply with the recommendations of either planning document as potential wetlands will be negatively impacted if the lot split is approved.

Franklin County Engineer
The Franklin County Engineer's Office has indicated that the area has significant drainage problems.

Franklin Soil and Water Conservation District
The Franklin Soil and Water Conservation District has indicated the potential for multiple wetlands to exist on the property and noted that if the site is to develop in the future that a wetland determination would be required.

Franklin County Public Health
The Franklin County Public Health Department has indicated that the applicant is required to provide for a secondary sewage treatment system for the existing home and also a primary and secondary system for the new lot in order for the lot split to be approved. The Franklin County Public Health Department denied the applicant's proposed soil based sewage treatment system.

Plain Township
Plain Township has indicated that the proposed lot split will require zoning variances for lot size and lot width.

Staff Analysis

Variance Criteria:

All of the following must be met in order to grant a variance:

1. *It shall not be detrimental to public health or safety or be injurious to other property.*
   Drainage problems and the potential for wetlands have been identified in the area. Approving the variance to allow the lot split may result in additional drainage problems and negative impacts to wetlands. The applicant has failed to provide sufficient information to make this determination.

2. *Circumstances of the request are unique to the property and not generally applicable to others.*
   The applicant has indicated that the lot split has been laid out in such a manner due to the excessive collection of water naturally occurring on the property and that this natural wetness is unique to the subject property and not commonly occurring on surrounding property.

   Staff does not believe that the topography and wetness of the site are relevant circumstances that justify the issuance of a variance to the lot geometry requirements.

3. *Due to physical surroundings, shape or characteristics of the property, a hardship would result, as distinguished from an inconvenience, if the strict letter of these Regulations were enforced.*
   The application states that due to the lot's environmental constraints, the property owner would suffer exceptional practical difficulty should the variance not be granted. The application further states that any effort to adjust the site's topography to better suit a uniform lot split would result in extraordinary hardship.

   The applicant has failed to provide sufficient information to allow staff to understand why the applicant believes the topography would need to be adjusted to create a uniform lot split.

Staff Recommendation

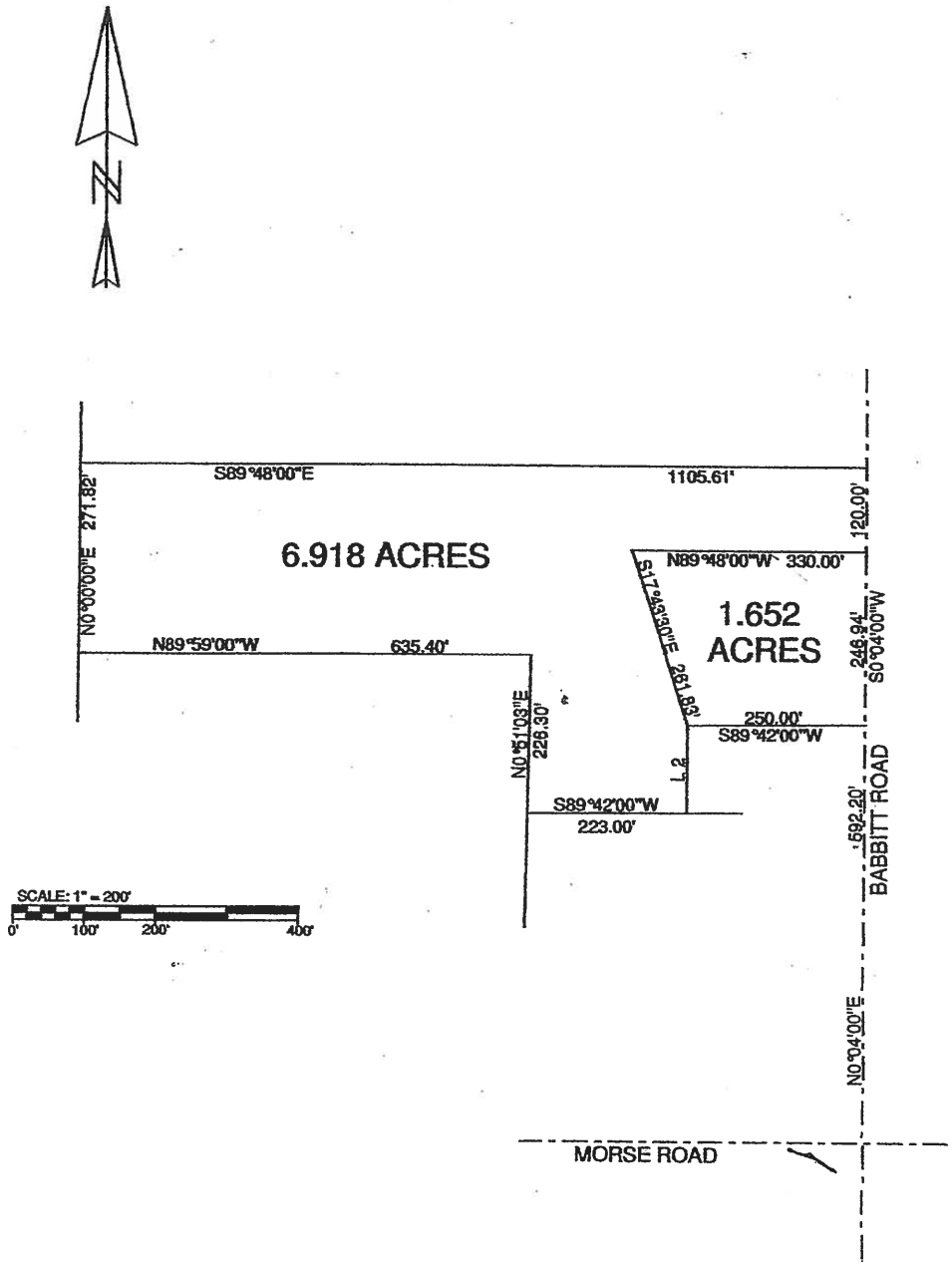
Based on Staff's Analysis, staff recommends ***denial*** of the variance request from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

VANCE SURVEYING LTD.
15071 HYATT ROAD
MOUNT VERNON, OHIO 43050
PH. (740).397-6296
FAX (740) 397-6032
vancesurveying@gmail.com

PROPOSED SPLIT FOR
RHEA CHUNG
RANGE 16, TOWNSHIP 2, QUARTER TOWNSHIP 4, LOT 16, USML,
PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO

RECEIVED
AUG 18 2015
Franklin County Planning Department
Franklin County, Ohio

672-V



Samuel R. Vance

Franklin County
Where Government Works

Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for
Subdivision Variance or Appeal

RECEIVED
AUG 18 2015
Franklin County Planning Department
Franklin County, Ohio

Property Information	
Site Address: 4915 Babbitt Rd, New Albany, OH 43054	
Parcel ID(s): 220-000487-00	Total Acreage: 8.563
Township: Plain Twp	Zoning: Residential
School District: 2508 - New Albany - Plain	Fire Department/Police Department:

Staff Use Only	
Case #	672-V
Hearing date:	9/9/15
Date filed:	8/18/15
Fee paid	$ 350.00
Receipt #	1580

Property Owner/Engineer/Agent Information	
Name: Rhea Chung & Hong Dong HWA	
Address: 7 N. High St., PO Box 518, New Albany, OH 43054	
Phone #: 614-933-9920	Fax #: 614-933-9932
Email: cdepew@shaferlawOhio.com	

Section Number(s) of the county subdivision regulations and a brief description of variance(s) requested:	
501.05	Lot Geometry - See attached Exhibit.

Applicant Signature

Applicant _____ Date Aug. 17, 15 Applicant _____ Date _____

150 South Front Street FSL Suite 10, Columbus, Ohio 43215-6314
Tel: 614-525-3094 Fax: 614-525-7155 www.FranklinCountyOhio.gov

EXHIBIT

A. Due to the lot's particular environmental constraints, and topographical conditions, Mr. and Mrs. Chung would suffer exceptional practical difficulty should the variance not be granted. The proposed lot split is surveyed in such a manner due to the excessive collection of water naturally occurring on the property. Any effort to adjust the topography to better suit a uniform lot split would result in extraordinary hardship.

B. These conditions are unusual in that they are distinct to this particular parcel, and not to other surrounding parcels. The unique low topographical nature of this lot results in the collection of rain water that otherwise does not commonly occur on surrounding property.

C. The purpose of this variance is thus not based exclusively upon a desire to obtain additional income.

D. The granting of this variance would not be detrimental to public health or injurious to other property. The granting of this variance has been encouraged by Plain Township. The removal of the rainwater collection pond in order to fit the lot geometry standards would otherwise be detrimental to the surrounding properties.

E. The special circumstances requiring the variance are solely a result from the lot geometry requirements.

F. The requested variance is the smallest adjustment available in this particular situation.

RECEIVED

AUG 18 2015

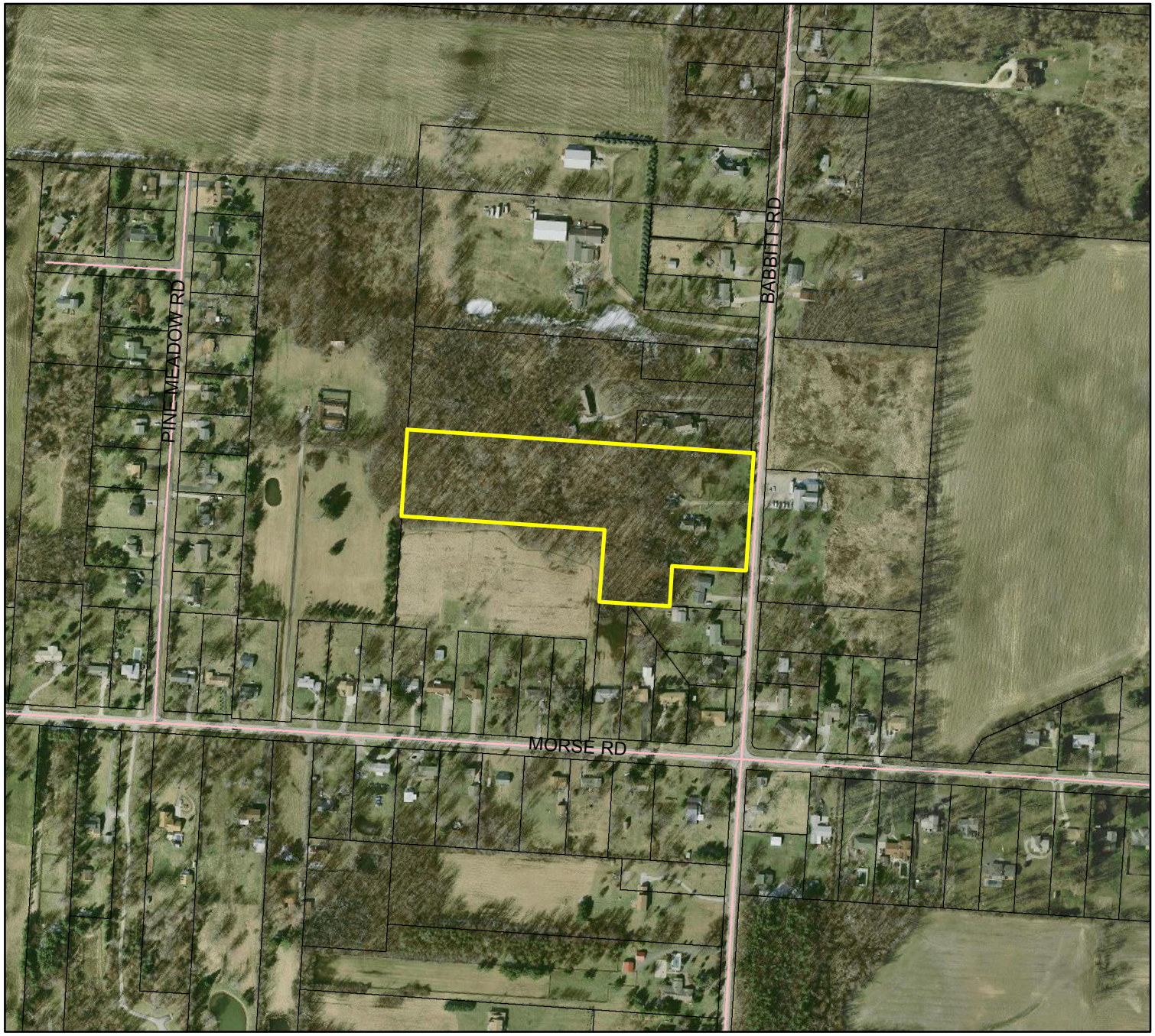
Franklin County Planning Department
Franklin County, Ohio

672-V

672-V

Requesting a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

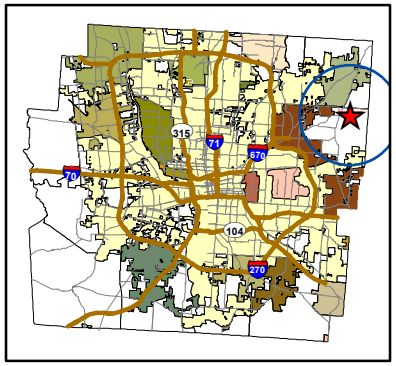
8.563 acres
Plain Township



4915 Babbitt Road

Parcels

Streets



Franklin County
Where Government Works

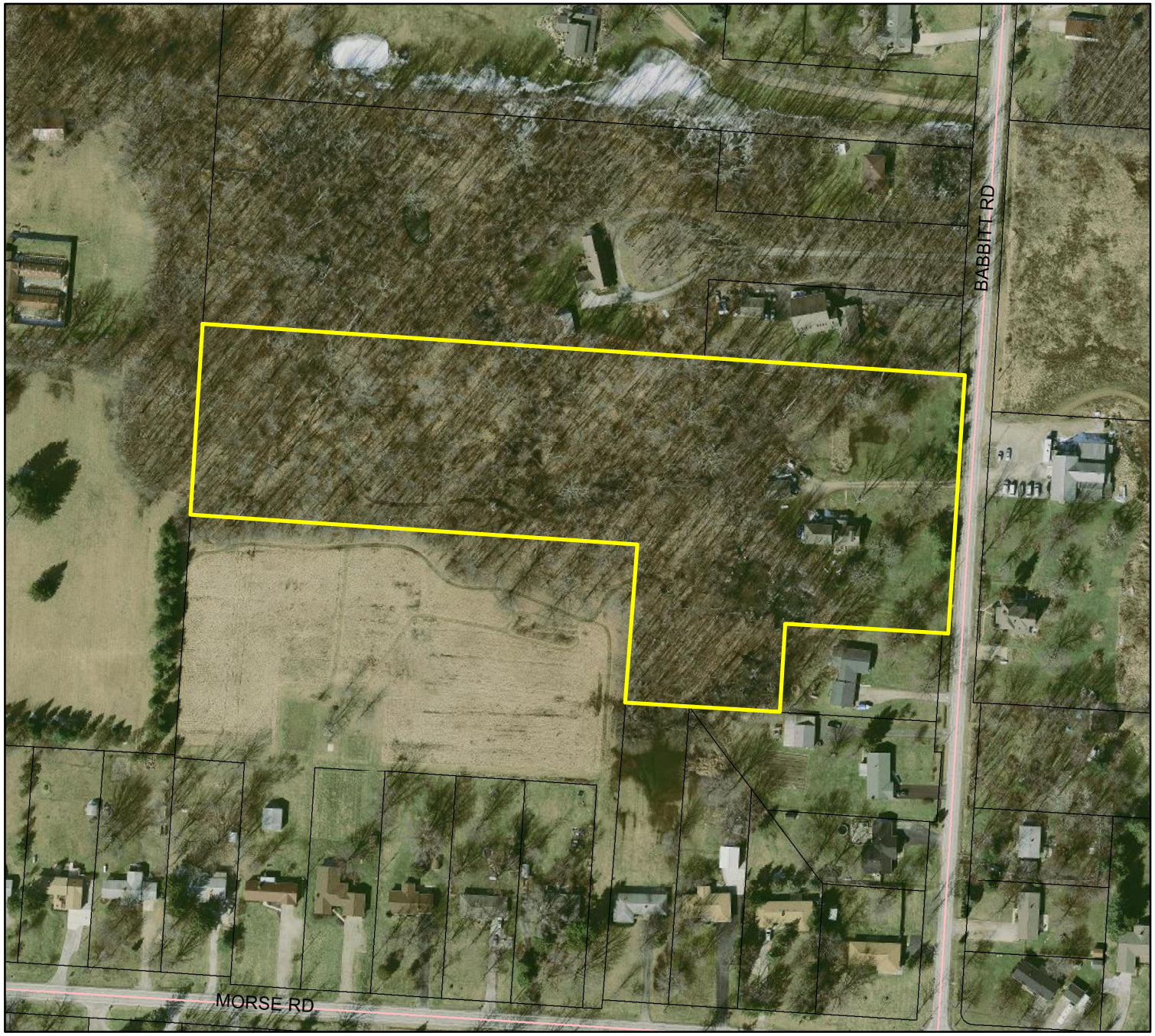
N
W E
S

0 230 460 920
Feet

672-V

Requesting a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

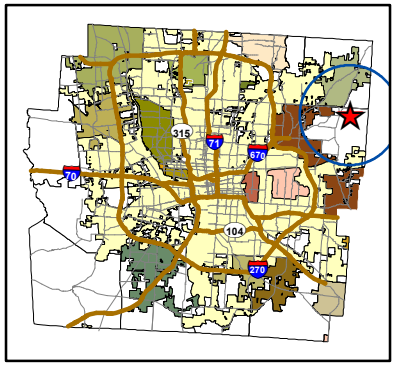
8.563 acres
Plain Township



4915 Babbitt Road

Parcels

Streets



Franklin County
Where Government Works

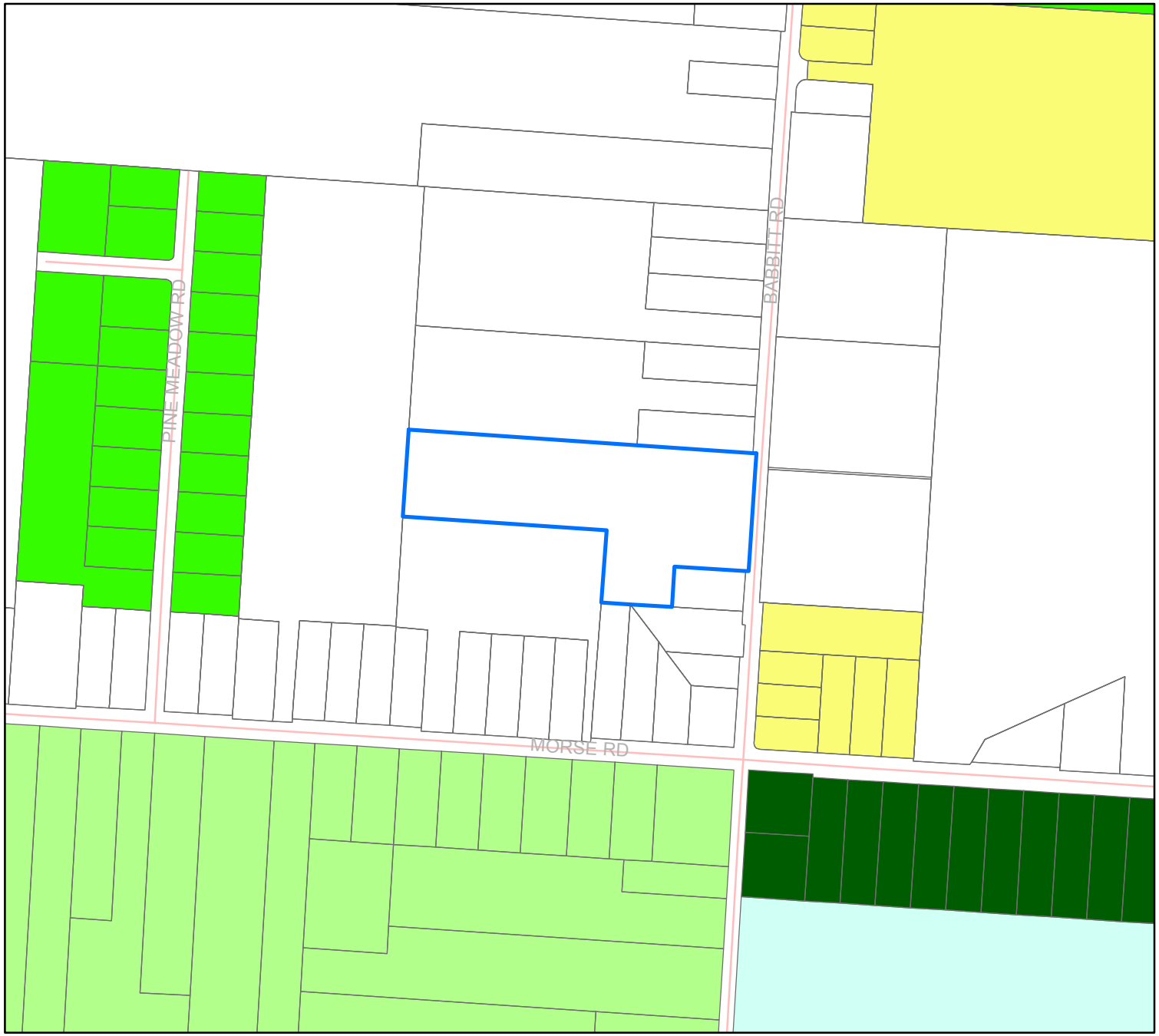
N
W E
S

0 105 210 420
Feet

672-V

Requesting a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of a lot that will fail to meet the required depth to width ratio.

8.563 acres
Plain Township



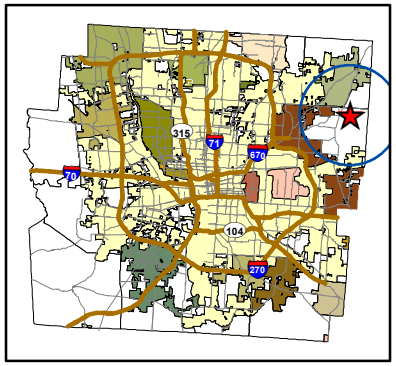
4915 Babbitt Road
Parcels
Streets

Plain Zoning

RURAL
R2
SER

Jefferson Zoning

Countryside Residential
Restricted Suburban
Limited Res. Suburban



Franklin County
Where Government Works

N
W E
S

0 230 460 920
Feet

Franklin County
Public Health

Franklin County Public Health
280 East Broad Street · Columbus, Ohio · 43215-4562

August 18, 2015

Rhea Chung
4915 Babbit Rd
New Albany, Ohio 43054

Re: 4915 Babbit Rd
...Tax District 220 Parcel 000487-00

Dear Rhea Chung:

The Site and Soil Review for the proposed lot split at the above referenced location has been completed and is disapproved.

The soil review was completed by Mark Flowers. For a lot split to be approved, an acceptable location for a secondary sewage treatment system for the residence needs to be identified. Also, primary and secondary locations that are acceptable for sewage treatment systems for the proposed lot need to be identified. Based on the soil evaluations that were provided and field verification, it has been determined that the areas for the proposed sewage systems are not acceptable.

According to OAC 3701-29-15 the vertical separation distance to the perched seasonal water table is 12 inches (minimum) and the in situ infiltrative distance is 8 inches (minimum), unless this distance was adjusted by the board of health. Franklin County Public Health has chosen to adopt a vertical separation distance of 12 inches and an in situ infiltrative distance of 8 inches, identical to the default distance in the code. In the soil evaluations the VSD to the perched seasonal water table is 6 inches. This is unacceptable for the installation of a soil based system and therefore the proposed lot split will not be approved by Franklin County Public Health.

Please feel free to contact me if you have any questions or if I can be of any further assistance.

Sincerely,

Jere A. Marks, MS, RS, REHS
Water Quality Program

C: Flowers Septic System Design, INC

Franklin County
Where Government Works

Commissioner Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Planning Commission
November 17, 2015

Case: JACK-15-07
Prepared by: Matt Brown

Applicant/Owner:	David Pando
Owner:	Ronald Kientz
Township:	Jackson Township
Site:	5506 Harrisburg (PID #160-000178)
Acreage:	31.65 - acres
Zoning:	Semi-Rural Residential District
Utilities:	Private water and wastewater
Request:	Requesting to rezone from the Semi-Residential District to the Exceptional Use District

Summary
The applicant is requesting a rezoning to allow the development and operation of an outdoor paintball facility. The request fails to meet the basis of approval standards required by the Jackson Township Zoning Resolution and conflicts with the future land use recommendations of the Southwest Area Plan. Staff recommends ***denial***.

Request
The site is located on the east side of Harrisburg Pike, midway between Orders Road and London-Groveport Road in Jackson Township. The subject site totals approximately 79 acres of which the applicant seeks to rezone approximately 31.65 acres for the paintball facility. The site is currently used for agricultural production.

The paintball facility will include an office/pro shop, portable restroom facilities, a roofed shelter structure and multiple playfields. The site will be accessed from Harrisburg Pike by a new gravel drive and a gravel area will be provided for parking.

Existing Zoning District
The property is currently located in the Semi-Rural Residential (SR) District which is intended for low-density, single-family residential development. This District serves as a transition between low density and moderate density residential areas. Examples of permitted uses in the SR District include:

- One-Family Dwelling Structures
- Home Child Care
- Religious organizations
- Accessory Uses and Structures
- Agriculture
- Education Services

Proposed Zoning District
The Exceptional Use (EU) district is intended to provide for special uses not otherwise permitted by the zoning resolution which warrant individual consideration. A detailed development text and development plan showing the size and location of all structures, setbacks, parking areas, landscaping, screening, utilities, traffic and access, and utilities are required to be approved as part of the EU District. The following list is an example of permitted uses in the EU District:

- Airport or Flying Field
- Transportation Terminals
- Amusement Center/Park
- Skating Rink
- Golf Club
- Swimming Pool
- Drive-In Theater/Facility
- Riding Stable
- Resort Establishment
- Boating, Camping, Park or Picnic Grounds
- Cemetery or Crematory
- Hospital
- Sanitarium
- Convalescent Home
- Group/Family Home
- Children/Elderly Home
- Private School or College with residence
- Other legal uses of unique or exceptional requirements or circumstances that are otherwise not permitted by this Resolution

Proposed Uses
The following is a list of the permitted uses being proposed in the Exceptional Use (EU) District:

- Paintball games and associated structures
- Office/Pro shop for guest registration and equipment sales and rental
- Semi-permanent restroom facilities to be serviced and emptied on a regular basis by an outside company
- Pre-packaged snack and non-alcoholic beverage vending
- Catering and delivery services from off-site
- Specialty activities for children's parties and events (Bounce houses, Nerf, etc.)
- Other activities customarily associated with Paintball courses

Surrounding Zoning and Land Use
The surrounding area is predominately agricultural and residential in character. The unincorporated village of Pleasant Corners is located approximately 4,000 feet to the south. A Grove City park, Fryer Park, is located a short distance to the northeast and commercial uses exist to the north near the Beatty Road and Orders Road intersections with Harrisburg Pike. The SWACO land fill is located a short distance to the south.

The frontages of properties along Harrisburg Pike in Jackson Township are located in the Mixed Use Corridor District. Properties to the north of the subject property are zoned Semi-Rural Residential and to the south are zoned Planned Industrial.

Comprehensive Plan
The Jackson Township Comprehensive Plan, adopted in 2010, recommends that the majority of the subject site remain low-density residential in character. The plan recommends that the frontage of the subject site along Harrisburg Pike develop with a full-range of commercial uses. The plan recommends that the property directly to the east of the subject site develop as a public park with recreational areas such as playgrounds, sports fields and recreation center.

Zoning District Requirements

The provisions of the General Development Standards of the Jackson Township Zoning Resolution shall apply to the Exceptional Use (EU) district. Due to the unique nature of such uses and because their locations cannot be readily predetermined, more specific development standards cannot be set forth. Therefore, full usage of the development standards and other provisions of the zoning resolution shall be used as appropriate and detailed in a Development Plan. The Development Plan shall include the following in text or map form:

<u>Development Plan</u>

1. *The proposed location and size of areas of use, indicating size, location and type of structure.*
    - The development plan lacks details related to the location, size and use of areas. The development text states that all parking, structures and fields of play will be setback a minimum of 30 feet from adjacent properties. Fields of play will be enclosed with nylon netting for paintball containment. The netting will have a maximum height of 20 feet and will be brown, black or dark green in color.
2. *The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such area.*
    - The development plan lacks details on how open space areas will be maintained.
3. *The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility studies.*
    - The applicant proposes to utilize portable restroom facilities with hand washing stations for the site. The development text indicates that the restroom facilities will be serviced on a regular basis by an outside company. The development text indicates that a well will be utilized for water supply. The development text indicates that drainage and run-off from the development will not cause property damage to off-site areas. All drainage improvements will be designed in accordance with the Franklin County Stormwater Drainage Manual and Jackson Township Zoning Resolution.
4. *The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness.*
    - The site will have one (1) gravel access point from Harrisburg Pike and gravel parking areas. The development text states that the parking areas will be sized to meet the anticipated daily volume of users and that it will be expanded if daily volume exceeds the anticipated volume. Overflow parking for special events and tournaments may be provided on grassed areas.
5. *The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.*
    - Example photographs were provided for the office/pro shop structure and play fields.
6. *The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities, land services and other public improvements.*
    - The proposed use will be located at the rear of the property, approximately 1,600 feet from Harrisburg Pike. The surrounding area is currently used for agricultural production and the Jackson Township Comprehensive Plan recommends the area for low density residential uses.

7. *Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.*
    - The applicant has provided sufficient evidence of all necessary items.

Franklin Soil and Water Conservation District
The Franklin Soil and Water Conservation District has indicated no concerns.

Ohio Department of Transportation
The Ohio Department of Transportation has recommended that the access drive be moved further to the south.

Franklin County Public Health
Franklin County Public Health has indicated no concerns.

Staff Analysis
Basis of Approval – The basis of approval for the Exceptional Use (EU) District according to the Jackson Township Zoning Resolution shall be:

1. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Jackson Township Zoning Resolution.*
    - The proposed use is a legal use not otherwise permitted under the provisions of the zoning resolution. By complying with the recommended conditions of approval the request will be consistent with the purpose, intent and applicable standards of the zoning resolution.
2. *That the proposed development is in conformity with the Comprehensive Plan or a portion thereof as it may apply.*
    - The comprehensive plan recommends low density residential uses in the subject area. By complying with the recommended conditions of approval the proposed use will not be detrimental to future recommended uses in the area.
3. *That the proposed development advances the general welfare of the Township and that the benefits to be derived from the proposed use justify the change in the land use character of the area.*
    - The proposed development offers a unique recreational opportunity and does not conflict with the existing agricultural character of the area. The recommended conditions of approval will help prevent negative impacts to the surrounding area if it were to develop in conformance with the Comprehensive Plan as low density residential.

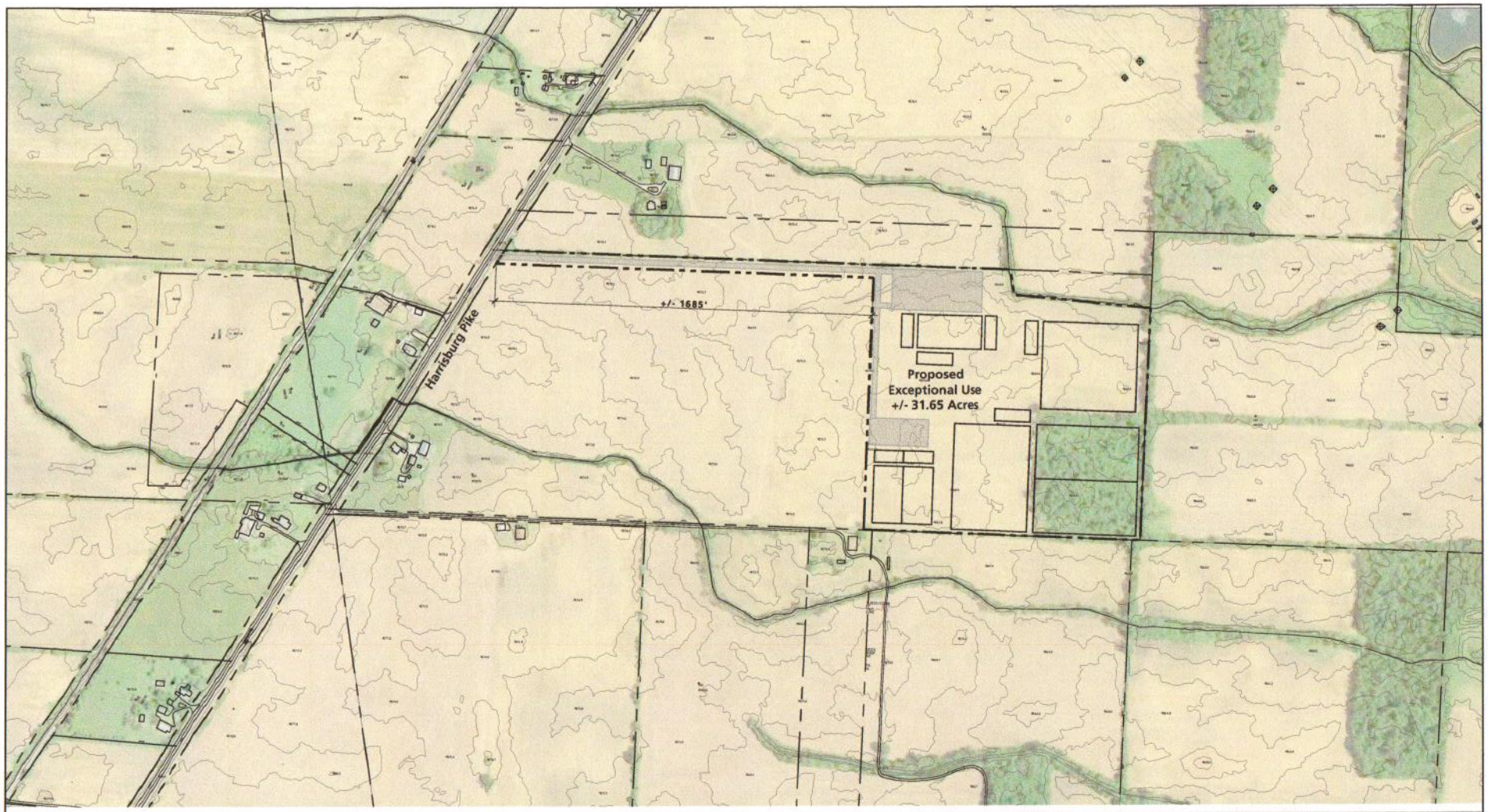
The request meets the basis of approval standards.

Staff Recommendation
Staff recommends ***approval*** of the request to rezone from the Semi-Rural Residential (SR) District to the Exceptional Use (EU) District with conditions. The conditions of approval are as follows:

1. The applicant must prepare a legal description for the exact area to be rezoned.
2. The applicant must receive all necessary approvals from ODOT for the proposed access.
3. The applicant must receive all necessary approvals from Franklin County Public Health for the onsite well.
4. The applicant must comply with all requirements of the Franklin County Stormwater Drainage Manual prior to any earth disturbing activities.

5. The applicant must provide a detailed site plan showing the size and setbacks of the Office/Pro shop, restroom facility, roofed shelter, parking area and drives.
6. The applicant must revise the development text to comply with the parking area and access drive surfacing requirements contained in Chapter 305 of the Jackson Township Zoning Resolution.
7. The applicant must revise the development text and plan to comply with the landscaping and buffering requirements contained in Chapter 304 of the Jackson Township Zoning Resolution.
8. The applicant must revise the development text to prohibit the use from operating after sunset.
9. The applicant must revise the development text to not allow for the issuance of temporary use permits for lighting.
10. The applicant must revise the development text to indicate that no lighting other than for building security is permitted.

JACK-15-07 Received 10/20/2015



0 50 100 200

EXCEPTIONAL USE RE-ZONING
FOR:
5506 HARRISBURG PIKE

DRAWING TITLE:
OVERALL PLAN

SCALE:

SHEET:

SUBMITTAL DATE:
10 - 15 - 2015

DRAWING NO.

JACK-15-07 Received 10/20/2015

Fee Paid by Cash / Check # 1050 , $ 75 Application # -ZC-20

ZONING COMMISSION APPLICATION

REQUEST FOR HEARING BEFORE ZONING COMMISSION

3756 Hoover Road Grove City, OH 43123

Property Owner: Thomas W. Kientz, Ronald R. Kientz, Carole J. Tully, Brian E. Kientz Applicant: David Pando

Address: 5506 Harrisburg Pike Zoned: Semi-Residential

Property Location: Midway between Orders Rd. & London-Groveport Rd.

PID: 160-000178-00 Area/Acres: +/- 31.65 Floodplain: No

(Home): n/a (Work): n/a (Cell): 760-717-3545

EmailAddress: Dave@PandoCreative.com

Summary of Zoning Commission: *It is the responsibility of the Zoning Commission to review and recommend a change in how land is zoned as well as the specific regulations and requirements of the Township Zoning Resolution It is the responsibility of applicants appearing before the Zoning Commission to have all required site plans, drawings, descriptions and all facts ready for public review and discussion. The schedule of required hearings may be extended by actions of continuance at any step in the procedures.*

To the Township Zoning Commission, the applicant requests the following:

☐ Re-Zoning / PUD ☑ Map/Text Amendment ☑ Exceptional Use

A change in zoning from the existing Semi-Residential District to the proposed Exceptional Use District

A change in use from the existing SIC n/a to the proposed SIC n/a

General Description of the Request

Request to re-zone to the Exceptional Use District in order to permit recreational & athletic activities.

1. Describe in specific detail the proposed request noting special and unique conditions of the proposed use. Attach development text as required.

Requesting to allow for the use of recreational activities, mainly paintball games & associated activities, to be allowed on the property. An office / proshop trailer will be used for registration during open hours. Semi-permanent restroom structures will be used and serviced regularly by an outside company. Pre-packaged snacks and non alcoholic beverage vending. Please see attached documents for complete description.

SUBMITTAL CHECKLIST

- ☐ Legal Description/ Deed
- ☐ Plot Plan / Site Plan
- ☐ Detailed Building Plan
- ☐ Tax Parcel Listing of All Property Owners within 500'
- ☐ Application Fee ($75)
- ☐ Photos Documenting Requested Use
- ☐ Date Filed _____
- ☐ FCDD Date _____
- ☐ Legal Ad _____
- ☐ Notices Sent _____
- ☐ Tech Review Date _____
- ☐ Plan.Comm. Hrg _____
- ☐ Twp. ZC Hrg _____

APPLICANT'S AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

I/We RONALD R. KIENTZ *
(Name)

5403 BEATTY ROAD, GROVE CITY, OHIO Home: _____
(Address) (City, State, Zip Code) 43123 (Phone)

Cell: 614 604 3420 Business: _____
(Phone) (Phone)

" the above named Owner / Applicant being duly sworn, depose and say that I/We are the owner(s) of the land included in the application and that the foregoing statement herein contained and attached, and information or attached exhibits thoroughly and to the best of my ability. By filing this application, I/We do hereby grant permission to Jackson Township and its employees to enter upon my property and to observe, photograph and document all conditions observed therein and to post all application materials upon the Township's website for public information purposes."

Ronald R. Kientz
(Owner Signature)

_____
(Co-Owner Signature)

Subscribed and sworn before me this 14th (Day) day of OCT (Month) 2015 (Year)

NOTARIAL SEAL
TERRY L. HOWARD, SR.
NOTARY PUBLIC
STATE OF OHIO
Commission # 215-RE-540-288
My Commission Expires 09-20-2019
Stamp or Seal

Terry L Howard Sr
(Notary Signature)

* For himself and as authorized agent of Thomas W. Kientz, Carole J. Tully and Brian E. Kientz

ACTION BY TOWNSHIP

Application Received & Accepted by: _____ Date: _____

Hearing Date: _____ 7:00pm at the Jackson Township Hall, Grove City, Ohio

JACK-15-07 Received 10/20/2015

EXCEPTIONAL USE DISTRICT
JACKSON TOWNSHIP
5506 HARRISBURG PIKE
(FRANKLIN CO. PARCEL ID 160-000178-00)
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO
LVL UP SPORTS
NO._____

BACKGROUND:

The subject site is located on a 78.66 Acre parcel on the eastern side of Harrisburg Pike approximately midway between Orders Road and London-Groveport Road. The site is southwest of Fryer Park and northwest of the SWACO landfill and is surrounded on all sides by large agricultural fields and a few scattered farmhouses along Harrisburg Pike. The site is characterized almost entirely by agricultural crop production with one small section of trees in the southeast corner and one small piece of the headwater of the Grant Run ditch across the northeastern corner of the property. Neither the existing tree area, nor the small section of the Grant Run Ditch, are proposed to be removed or adversely affected by this application.

The applicant is requesting to rezone 31.65 Acres of the rear of the property to the Exceptional Use District in order to permit recreational and athletic activities on the site. The applicant proposes to install several paintball fields/courses for general admission play, corporate and team outings, and competitions on the easterly 30 acres of the property. A full-access driveway is proposed to be installed from Harrisburg Pike approximately 1,600 feet easterly to the subject site where customer parking and the Pro Shop will be located. An office trailer (approximately 20' x 40') will be set up and used as a Pro Shop and registration area with hours of operation being generally limited to daylight hours each day.

Several playing courses surrounded by protective netting will be erected within the property being re-zoned, designed to accommodate all ages and skill levels. The applicant intents to install at least one roofed shelter to provide shelter for customers and to accommodate a staging area. The entire facility will be set back more than 1,600 feet from Harrisburg Pike and is surrounded entirely by agricultural ground. All play fields will be enclosed by fencing and/or netting for paintball containment, and customers and guests will be prohibited from crossing onto adjacent property. Facilities installed for the purposes outlined below will be movable, configurable, and removable should the property become desirable for a higher use in the future.

PERMITTED USES:

The following Uses shall be permitted:

- Paintball Games and associated structures
- Office / Pro shop for guest registration and equipment sales and rental.
- Semi-permanent restroom facilities to be serviced and emptied on a regular basis by an outside company.
- Pre-packaged snack & Non-Alcoholic Beverage Vending
- Catering and delivery services from off-site shall be permitted to service guests, corporate outings, and tournaments
- Specialty activities for children's parties and events (Bounce Houses, Nerf, etc.)
- Other activities customarily associated with Paintball courses

Paintball and paintball type play activities shall be conducted on the premises using only biodegradable materials for the purposes of family activity, general play, corporate and sponsored outings, and charitable functions. In addition tournaments of the same activity may, at select times, be conducted on the property as well as special holiday themed events. Structures in the field, used for the purposes of game play, will be temporary in nature, movable, and configurable. Structures for the purposes of game play may be built on site, delivered to the site, or inflatable. Driveway and main parking areas will be gravel while field areas may be used as overflow parking for larger events. Food trucks or catering will be permitted on site as a temporary activity. Grounds will be policed and kept clean and free of trash and debris each day by on-site staff.

DEVELOPMENT STANDARDS:

Unless otherwise indicated in the submitted drawings or in the written text the applicable standards for the site shall be as contained in all applicable sections of the Jackson Township Zoning Resolution.

SITE SETBACKS:

a) Front Yard: With the exception of a narrow access road to the rear of the property the proposed site is located approximately 1,600 feet from the right of way of Harrisburg Pike and as such no street setback is established in this application. All parking, structures, and fields of play will be held back a minimum of thirty (30) feet from the established western site boundary as identified in the plans.

b) Perimeter Yards: All parking, structures, and fields of play will be set back a minimum of thirty (30) feet from adjacent properties. Standard no-trespassing signs will be installed around the property perimeter to keep patrons off adjacent properties.

LIGHTING:

As the business is proposed to be open during the daylight hours only, no lighting for the sports fields is requested with this application. Overall, lighting for the facility will be limited to building mounted security lighting for the office and the restroom facilities. Nothing in this application shall prohibit the applicant from requesting a temporary use permit from Jackson Township to allow temporary lighting for special events or fundraisers. Temporary permits for lighting shall only be secured on an individual event basis with the approval of Jackson Township.

SIGNAGE AND GRAPHICS:

a) One freestanding graphic shall be allowed along Harrisburg Pike. The total size of the sign shall not exceed 32 square feet per side, for a double sided sign, and shall not be any higher than eight (8) feet. Final sign design will be submitted with an application for sign permit as required by Jackson Township.
b) Signage for the project shall be installed no closer than Fifteen (15) feet to the Right-of-Way of Harrisburg Pike and shall be installed in a location as not to obstruct views of oncoming traffic while exiting the driveway.
c) All other aspects of the main project sign shall meet the requirements of the Jackson Township Zoning Resolution.
d) Direction signs for ingress and egress shall be permitted at the curb cuts on Harrisburg Pike Road to direct traffic in and out of site as well as internally to identify parking and circulation areas for customers.
e) No off-premise graphic shall be permitted on site nor any illumination which flashes, travels, animates or intermittently illuminates shall be allowed.
f) Internal signage will include placards identifying the various fields of play, team staging areas, restrooms, and No-trespassing signs placed to keep customers from entering adjacent property.

ENVIRONMENTAL TREATMENT:

a) Driveways and main parking areas are anticipated to be gravel with the potential for overflow parking in lawn areas for special events and tournaments. As the site and activities will be located on the rear half of the property, 1,600 feet from Harrisburg Pike, and surrounded by agricultural fields, no additional screening or landscaping of parking areas is anticipated.
b) Fencing will be limited to Nylon netting surrounding the perimeter of each field of play. Nylon netting shall be a maximum of twenty (20) feet in height, shall be black, brown, or dark green in color as to recede from distant view, and shall be maintained in good condition by the owner at all times.
c) No outside storage shall be permitted on the lot. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the lot. Trash shall be collected in barrels established throughout the property and emptied on a daily basis by the staff and owner of the facility. One dumpster shall be provided on the property for the collection of trash and debris and shall be emptied by an outside company on an as-needed basis.

SITE PLAN:

a) The property shall be used in accordance with the submitted site plan. The attached site plan illustrates the areas where the fields of play and parking will be generally located. This site plan may be slightly adjusted to reflect engineering, topographical or other site conditions discovered at the time final design and engineering plans are completed. Any minor adjustment to the site plan shall be reviewable and approvable by the Zoning Officer or his designee, upon submission of the appropriate data regarding the proposed adjustment. The general layout and site concept shall, however, conform to this site plan.
b) Gravel parking areas shall be installed by the owner of a size necessary to accommodate vehicles supporting the anticipated daily volume of play. If daily play volume exceeds the owner's expectations, gravel parking areas will be expanded to accommodate the additional vehicles. Overflow parking for special events and tournaments may be accommodated in on-site field areas as directed by the staff and owner.

PROPOSED STRUCTURES:

a) Office Facilities – An approximately 20' x 40' office trailer (similar to the attached exhibit) shall be delivered to the site and used for the office, pro-shop, and team registration functions. The trailer shall be installed to meet all applicable codes with regards to building, safety, utility, and access.
b) Sanitary Facilities – Sanitary services for the facility will be provided by an on-site restroom trailer/s. Restroom trailers will include hand washing stations and will be serviced and maintained on a regular basis. On-site septic will not be required.
c) Field structures – all structures located within the designated fields of play shall be temporary, movable, and configurable structures to allow for the re-configuration of playing fields to simulate different environments. Such structures shall not be habitable structures for code purposes and may include temporary inflatable structures as well as wood structures with doors, walls, and windows. All such structures shall be maintained by the owner and kept in good condition to ensure player safety.

STORMWATER DRAINAGE:

a) Drainage and run-off from the proposed development shall not cause property damage to off-site areas. All drainage improvements shall be designed in conformance with the requirements for the Franklin County Storm water Drainage Manual and the Jackson Township Zoning Resolution.

SEWAGE DISPOSAL AND WATER SUPPLY:

a) Water supply for the property, including drinking water, will be provided by a well installed by the owner and inspected and certified by the county health department.
b) Provisions for sewage disposal shall be consistent with the services of the company hired to deliver and maintain the sanitary facilities as described in the sections above.

JACK-15-07 Received 10/20/2015

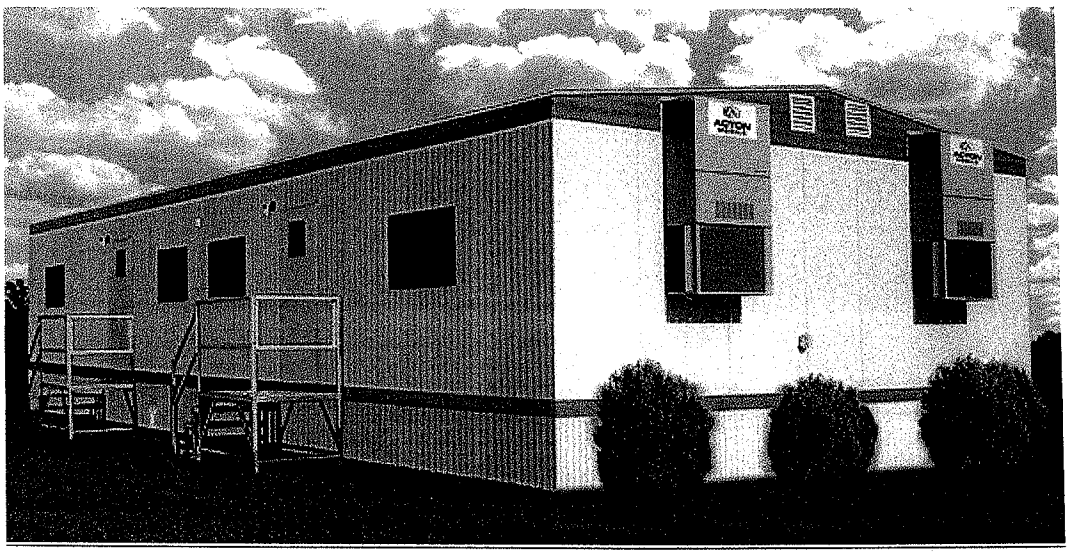
POLLUTION:

a) Smoke: No consistent or pollutant smoke shall be emitted from any structure in the Exceptional Use District. The owner may choose to allow the use of smoke grenades for certain events provided that smoke grenades are non-toxic, non-flammable, and non-odorous.
b) Noise: The noise level shall be no greater than sixty (60) decibels at the lot line.
c) Odor: No odorous gasses or other odorous matter in any quantities as to be offensive at any point on or beyond the Exceptional Use District boundary.

JACK-15-07 Received 10/20/2015

EXHIBIT A

EXAMPLE STRUCTURE



JACK-15-07 Received 10/20/2015

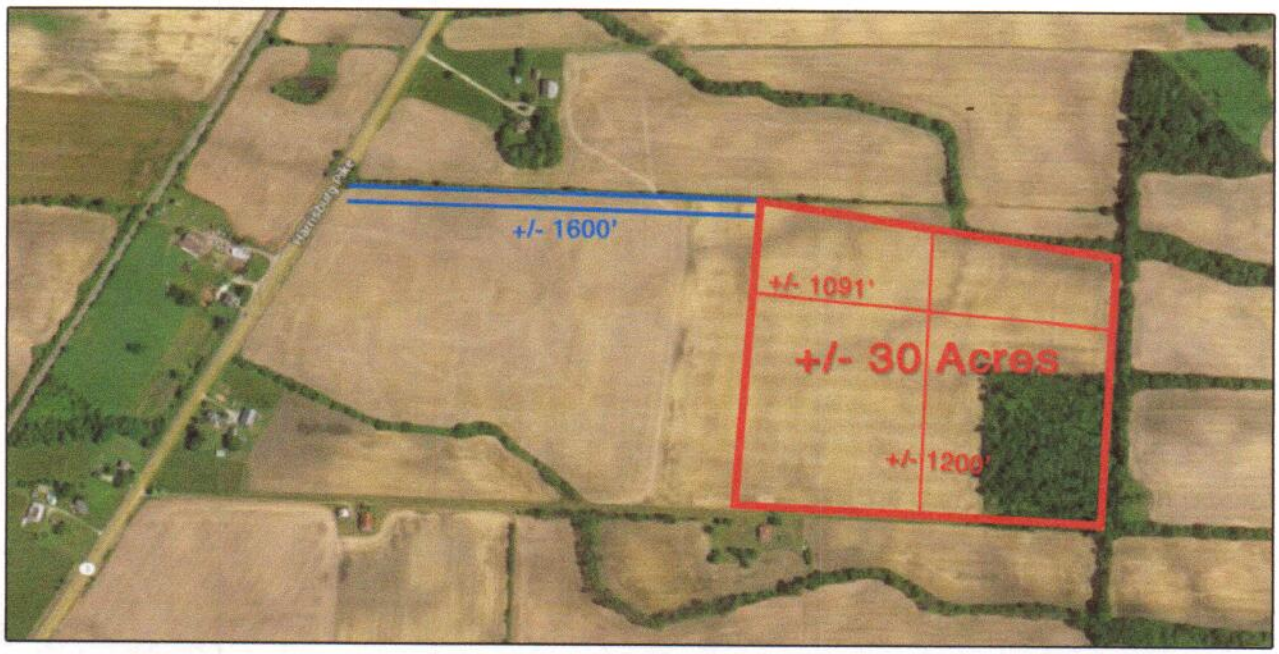
PHOTOS DOCUMENTING EXCEPTIONAL USE

JACK-15-07 Received 10/20/2015

JACK-15-07 Received 10/20/2015

JACK-15-07 Received 10/20/2015

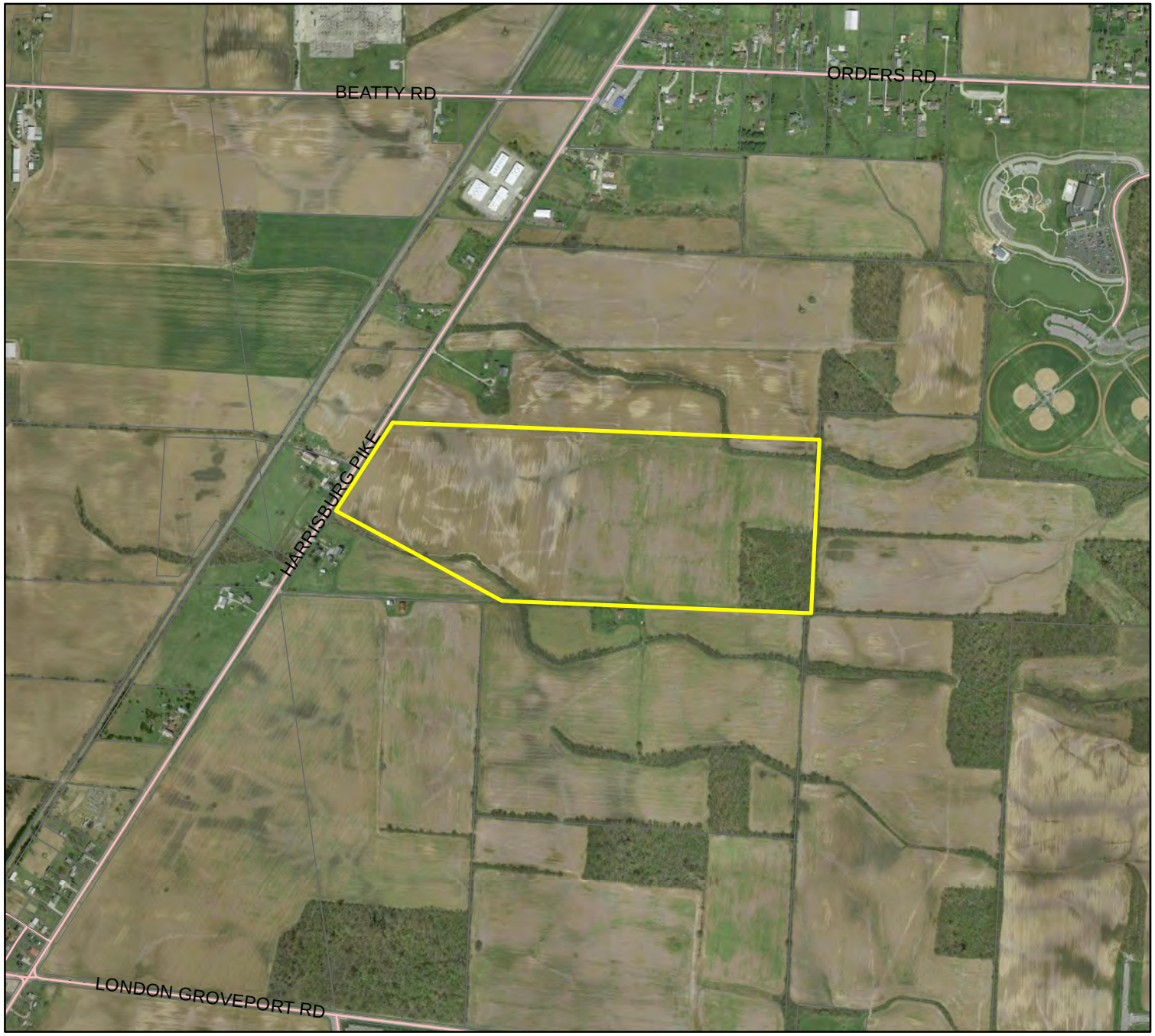
EXHIBIT - ESTIMATED LOT SPLIT



JACK-15-07

Requesting to rezone from the Semi-Residential District to the Exceptional Use District.

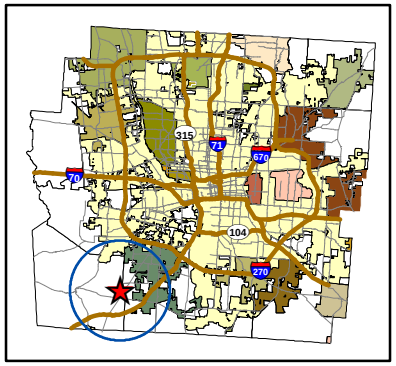
31.65 Acres
Jackson Township



5506 Harrisburg

Parcels

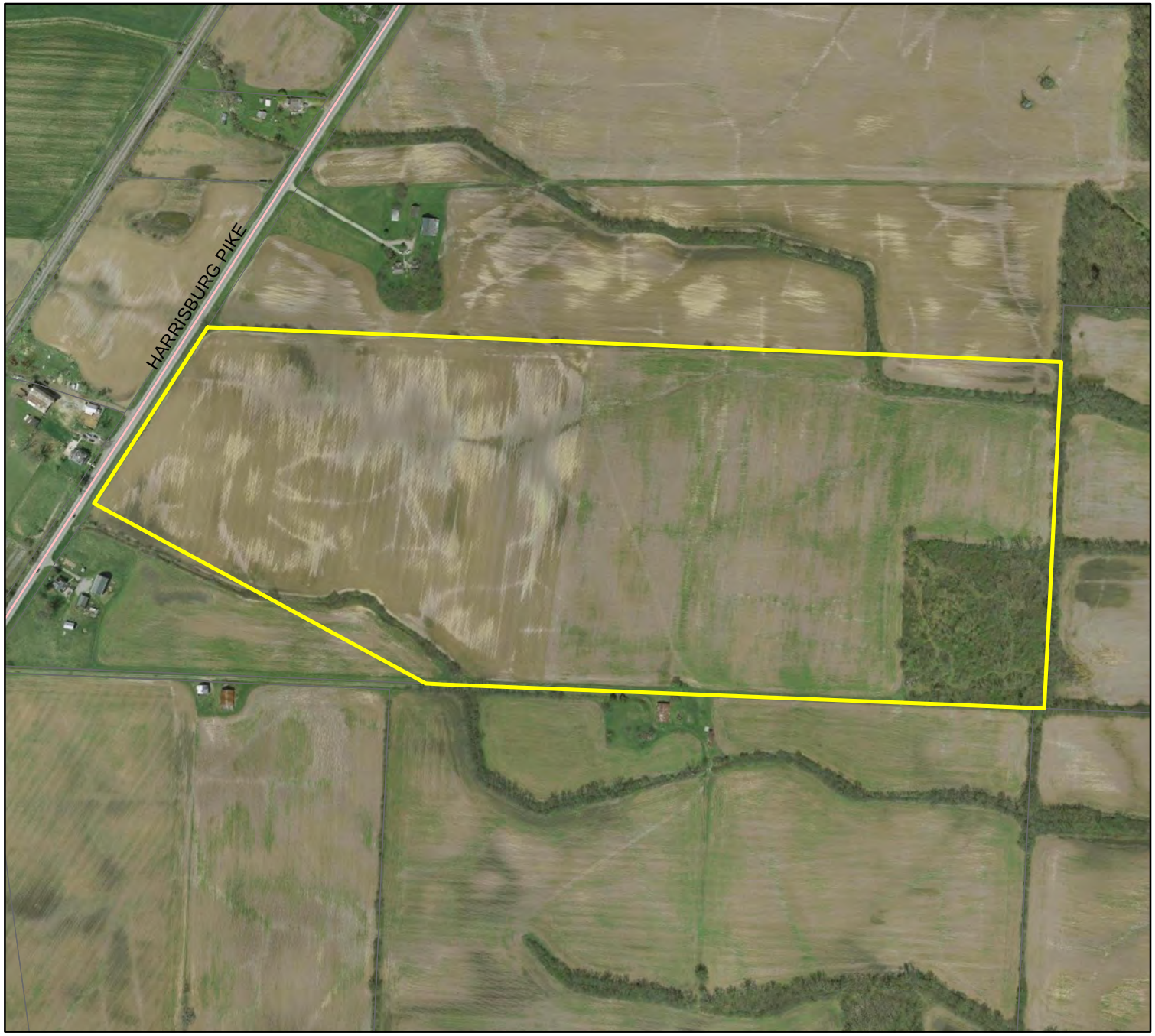
Streets



Franklin County
Where Government Works

N
W E
S

0 500 1,000 2,000
Feet



JACK-15-07

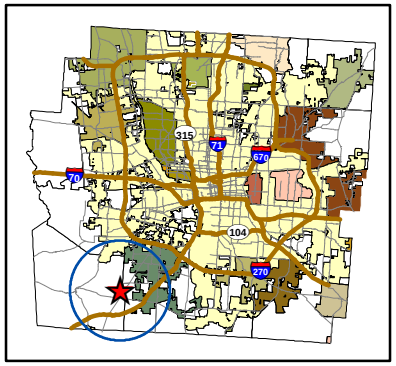
Requesting to rezone from the Semi-Residential District to the Exceptional Use District.

31.65 Acres
Jackson Township

5506 Harrisburg

Parcels

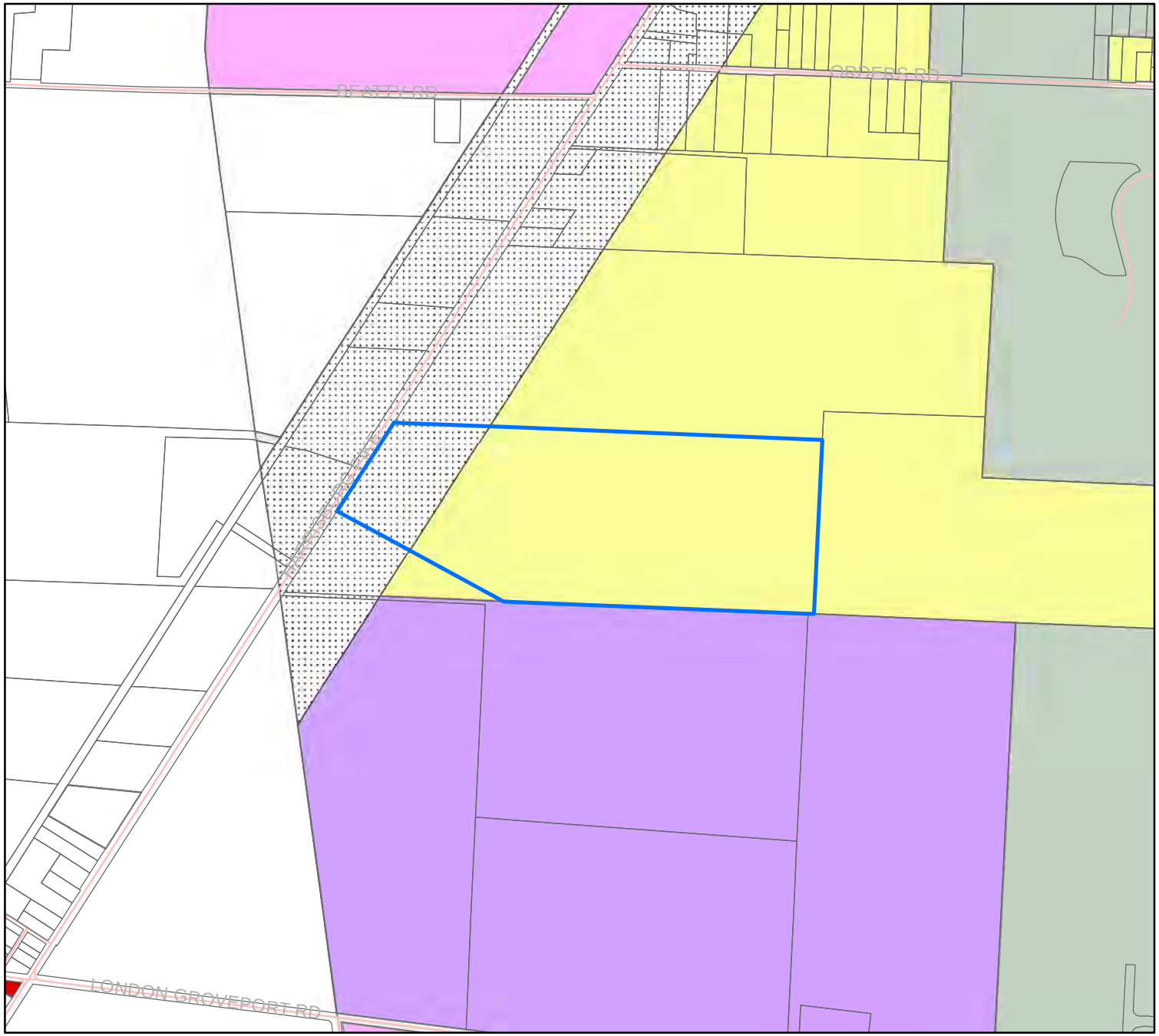
Streets



Franklin County
Where Government Works

N
W
E
S

0 250 500 1,000
Feet



JACK-15-07

Requesting to rezone from the Semi-Residential District to the Exceptional Use District.

31.65 Acres
Jackson Township

- 5506 Harrisburg
- Parcels
- Streets

Zoning

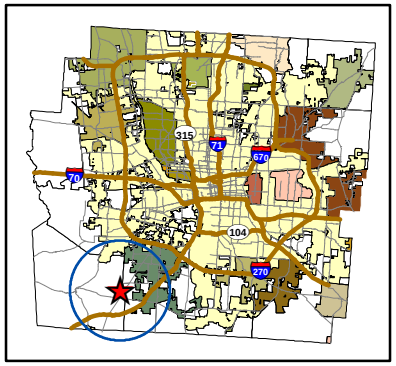
- CS
- RURAL
- NOT IN JURISDICTION

Jackson Zoning

- ACOS
- SR
- CS
- MUO
- LI
- PI

Corporate Boundaries

- Grove City
- Jackson
- Pleasant



Franklin County
Where Government Works

N W E S

0 500 1,000 2,000 Feet