

**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **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

Wednesday, August 8, 2018 1:30 pm

- 1. Call roll for board members
- 2. Introduction of staff
- 3. Swearing in of witnesses
- 4. Approval of minutes from the July 11, 2018 meeting
- 5. New Business:

#### i. 672-FP(c) – Matt Brown

Owner/Applicant:	Rockford Homes, Inc.
Engineer:	EMH&T - Matthew Kirk
Township:	Jefferson Township

**Site:** 3134 Waggoner Rd. (PID #171-000587)

Acreage: 16.839- acres

**Utilities:** Public water and wastewater

**Request:** Requesting Final Plat approval of the Morrison Farms East Section 3 subdivision

to allow the creation of a 39 single-family lots and 3 reserves.

### ii. 680-FP-2 - Matt Brown

Owner/Applicant:	M/I Homes of Central Ohio
Engineer:	EMH&T - Matthew Kirk
Township:	Jefferson Township

**Site:** 2865 Darling Rd. (PID #170-000010)

Acreage: 15.130- acres

**Utilities:** Public water and wastewater

**Request:** Requesting Final Plat approval of the Weldon Phase 2 subdivision to allow the

creation of a 39 single-family lots and 1 reserve.

### iii. 696-V – Brad Fisher

Owner: Mary Wentz, John Albers, Karen Larson, Mary Zelasko & James Albers

**Applicant:** Louise Albers **Agent:** John Albers

**Township:** Jefferson Township

Site: 3399 Mann Rd. (PID #170-002395, 170-000016)

Acreage: 0.990- acres

**Utilities:** Private water and wastewater

**Request:** Requesting a Variance from Section 501.05 and 502.01 of the Franklin County

Subdivision Regulations to allow a lot line adjustment that would result in one lot exceeding the maximum depth to width ratio, creating a side lot line more than five degrees of perpendicular to the roadway and leaving the residual lot with no

road frontage.

### iv. 697-V – Brad Fisher

Owner/ Applicant: Daniel & Amy Moore Blendon Township

**Site:** 6307 Ulry Rd. (PID #110-003005)

**Acreage:** 7.58- acres

**Utilities:** Private water and wastewater

**Request:** Requesting a Variance from Sections 402.01(B) and 502.01 of the Franklin

County Subdivision Regulations to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and have access

to, a publicly maintained street.

### v. ZON-18-05 - Brad Fisher

Owner/Applicant: Emig Road, LLC

Agent: Jackson B. Reynolds, III
Township: Franklin Township

**Site:** 1350 Emig Rd. (PID #140-000386)

Acreage: 2.400- acres

**Utilities:** Private water and public wastewater

**Request:** Requesting to rezone from the Rural district to the General Industrial (GI) district.

# 6. Adjournment of meeting to September 12, 2018



**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

### **Economic Development & Planning Department**

James Schimmer, Director

# MINUTES OF THE FRANKLIN COUNTY PLANNING COMMISSION

# Wednesday, July 11, 2018

The Franklin County Planning Commission convened in Meeting Room A, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Wednesday, July 11, 2018.

### Present were:

Nancy White, Chairperson Roxyanne Burrus Dan Blechschmidt Chet Chaney Mark Dravillas Annie Ryznar

Franklin County Economic Development and Planning Department:

Jenny Snapp, Assistant Director Matt Brown, Planning Administrator Brad Fisher, Planner

Chairperson White opened the hearing.

The first order of business being the roll call of board members, the introduction of staff, and the swearing in of witnesses.

The next item of business was the approval of the minutes from the May 9, 2018, meeting. Ms. Burrus made a motion to approve the minutes. It was seconded by Mr. Blechschmidt. The motion was approved by a six-to-zero vote.

### **NEW BUSINESS:**

The next order of business being Case No. 692-V and PP. The applicant and owner is M/I Homes of Central Ohio, LLC. The engineer is EMH&T. The township is Jefferson Township. The site is located at 8070 Clark State Road, 8015 McOwen Road, 8101 Clark State Road, 7555 Morse Road, 7645 Morse Road, and 4343 Dixon Road, Morse Road PID No. 170-000580, and 8008 Morse Road. It is 374.100 acres in size and is served by public water and wastewater. The applicant is requesting Variances to Sections 402.01(B) and 405.11 of the Franklin County Subdivision Regulations to allow homes with below-grade floor elevations in poorly drained soils and to allow filling and grading activities in a Riparian Setback Area. The applicant is also requesting Preliminary Plat approval of The Farms at Jefferson to allow the creation of a 372-lot, single-family subdivision with 263.4 acers of open space. Mr. Matt Brown read and presented the case to the Franklin County Planning Commission.

Mr. Chaney made a motion to approve the Variances requested in Case No. 692-V with Staff's conditions. It was seconded by Mr. Dravillas. The motion was approved by a six-to-zero vote. Mr. Chaney made a motion to adopt Findings of Fact that the basis for approving the applicant's request for the two Variances from Sections 402.01(B) and 405.11 of the Franklin County Subdivision Regulations results from the applicant satisfying the standards for granting a Variance under Section 701.07. The motion was seconded by Mr. Blechschmidt. The motion was approved by a six-to-zero vote. Mr. Chaney made a motion to approve the Preliminary Plan on a conditional approval basis with 14 Staff conditions. It was seconded by Ms. Burrus. The motion was approved by a six-to-zero vote.

The next item of business being Case No. 693-V. The applicants are James and Charlene Davison. The agent is Pomeroy & Associates. The township is Norwich Township. The site is located at 4180 Saturn Road. It is 4.400 acres in size and is served by private water and wastewater. The applicant is requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow for the creation of two lots that would result in a side lot line being more than 5 degrees from perpendicular to the roadway and exceeds the maximum depth-to-width ratio. Mr. Brad Fisher read and presented the case to the Franklin County Planning Commission. Mr. Blechschmidt made a motion to approve Case No. 693-V. It was seconded by Mr. Chaney. The motion failed by a three-to-three vote.

The next item of business being Case No. 694-V. The applicant and owner is Memory Lane Farm, LLC. The agent is Scott Schaeffer. The township is Pleasant Township. The site is located at 3812 Georgesville-Wrightsville Road. It is 6.506 acres in size and is served by private water and wastewater. The applicant is requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow a lot line adjustment that would result in a side lot line being more than 5 degrees from perpendicular to the roadway and exceeds the maximum permitted depth-to-width ratio. Mr. Brad Fisher read and presented the case to the Franklin County Planning Commission. Ms. Burrus made a motion to approve Case No. 694-V. It was seconded by Mr. Blechschmidt. The motion was approved by a six-to-zero vote. Ms. Burrus made a motion to adopt Findings of Fact that the reason for adopting a Variance to Section 501.05 of the Franklin County Subdivision Regulations results from the applicant satisfying the criteria necessary to grant a Variance under Section 701.07 of the subdivision regulations. It was seconded by Mr. Dravillas. The motion was approved by a six-to-zero vote.

The next item of business being Case No. 695-V. The applicant and owner is Galle B, LLC. The agent is Brock Starr. The township is Pleasant Township. The site is located at 5077 Big Run South Road. It is 3.152 acres in size and is served by private water and wastewater. The applicant is requesting a Variance from Section 402.01(B) of the Franklin County Subdivision Regulations to allow for the creation of a new lot with a wastewater treatment system located in poorly draining soils. Mr. Brad Fisher read and presented the case to the Franklin County Planning Commission. Mr. Blechschmidt made a motion to approve Case No. 695-V. It was seconded by Mr. Dravillas. The motion was approved by a six-to-zero vote. Mr. Blechschmidt made a motion to adopt Findings of Fact that the reason for adopting a Variance to Section 402.01(B) of the Franklin County Subdivision Regulations results from the applicant satisfying the criteria necessary to grant a Variance under Section 701.07 of the subdivision regulations. It was seconded by Ms. Burrus. The motion was approved by a six-to-zero vote.

There being no further business to come before the made a motion to adjourn the hearing. It was s	•	•
approved by unanimous vote.		
	_	
Signature		

Minutes of the July 11, 2018, Franklin County Planning Commission hearing were approved this 8th day of August, 2018.



**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

**Economic Development & Planning Department** 

James Schimmer, Director

# STAFF REPORT

Planning Commission August 8, 2018

**Case 672-FP(c)** 

Prepared by: Matt Brown

Owner/Applicant: Rockford Homes, Inc.
Engineer: EMH&T - Matthew Kirk
Township: Jefferson Township

**Site:** 3134 Waggoner Rd. (PID #171-000587)

Acreage: 16.839- acres

**Utilities:** Public water and wastewater

**Request:** Requesting Final Plat approval of the Morrison Farms East

Section 3 subdivision to allow the creation of 39 single-family lots

and 3 reserves.

# **Background Information**

### **History:**

- October 10, 2012 Preliminary Plan approved for a 229 lot single-family subdivision in six phases
- August 13, 2014 Final Plat for Phase 1 approved which included 37 lots
- October 10, 2014 Preliminary Plan expired
- April 8, 2015 New Preliminary Plan approval for Phases 2-6
- July 13, 206 Final Plat for Phase 2 approved which included 39 lots
- February 8, 2017 Preliminary Plan extension approved
- December 13, 2017 Preliminary Plan Revision approved to adjust boundary between phases 3 and 4

### **Proposal:**

The applicant is requesting Final Plat approval of the Morrison Farms East Section 3 subdivision that will create 39 single-family lots and 3 reserves with 8.462 acres of open space.

### **Overview and Analysis**

Technical Review Committee agencies expressed no concerns with the Final Plat and the Final Plat conforms to the approved Preliminary Plan.

The Franklin County Engineer's office has indicated that a widening of Havens Corners Road needs to be constructed or bonded prior to the Engineer's office signing the final plat. The Engineer's office has not received a bond for the construction and right-of-way costs associated with the widening.

Per Section 402.01(D) of the Subdivision Regulations, a note needs to be included on the final plat submitted for signatures stipulating that builders must confer with the FCEDP to determine if special foundation and/or basement construction techniques are needed for lots impacted by poorly drained soils. Note "D" of the final plat must be revised on the final plat submitted for signatures to include the language from Section 502.13 of the Subdivision Regulations that "Stub streets are intended to be extended in the future for access to adjacent properties. No extension of the stub street will be allowed

without plat or deed." A copy of the recorded Declaration of Covenants and Restrictions for the HOA must be submitted with the final plat submitted for signatures.

# **Staff Recommendation**

Staff recommends <u>approval</u> of the Final Plat for Morrison Farms East Section 3.

As per Section 205.25 of the Franklin County Subdivision Regulations, the final plat must be recorded within 6 months of the date of approval.

# **MORRISON FARMS EAST**

### **SECTION 3**

Shatest in the Sease Of Diso Court, of Fraktin Touchby of Jeffrence, and Iceard or Qualter Touchby I. Touchby I. Raige 16. Unad-State Moritain Lands containing. 16 KN3 serie of lind more or less, and 16 KN3 serie bong compressed of a part of each of those tracts of land convie, ed 16 CKS COR HONGES, INC. 6: deed of record in Instrument Numbers 20031020316654 and 20031212033869. Recorder's Office Franklin Courty, Diso

The undersigned. ROCKFORD HOMES, INC., an Olao corporation by DONALD RUCK, Frendent, owner of the land planed herea. (thy authorized in the premise SECTION 3": a subdistance outside the premise SECTION 3": a subdistance outsides the subdistance outsides and area designated as Reserves 15": "G" and "H" does hereby accept the plat of same and dericates to public use. as such all of the Druce and Laze shown hereon and not hereoforce dedicated frankin Counts shall not accept the platted rights-of-way, for public use and construction or statisfication (completed).

In consideration of approval of this plat the undersigned understands and agrees to fulfill their obligations and responsibilities reflected in the subdivider's agreement and the subdivision registations of Franklin County, Chin Coung, building and health permit may be visibled in this subdivition until the subdivider has compiled with the subdivider's agreement

Estement, are hereby reserved as over and under areas designated on this plat as Pastement or "Dramage Essement." Each of the alorementioned designated easternation and the plate of the alorement of the alorement and patch and quasarylate features between the plate of the alorement and alorement and above threates had on the surface of the morated and patch and on the surface of the morated and easternation expectations and adjacent loss and adds and for storm water dramage. Within those zeroe designated "Dramage Essement" on this plat, as additional easternation to be service connections to all adjacent loss and on the plat, and additional easternation to hereby the expect of the particular Essement on the plat. The particular particular that the properties of the plate of the plate

from pins shall be set at all lot corners prior to the transfer and acceptance of any street for public purpose

In Witness V	Thereof DONALD	R. WICK,	President of	ROCKFORD	HOMES
INC., has hereunte	set hall hand thus	day of	. 20		

Signed and Acknowledged In the presence of:	ROCKFORD HOMES, IN
	By DONALD R. WICK,

STATE OF OHIO COUNTY OF FRANKLIN SS:

Before me a Notan Public in and for said State personally appeared DONALD R. WICK, President of ROCKFORD HOMES, INC. who acknowledged the signing of the foregoing instrument to be has Voluntary act and deed and the voluntary act and deed of said ROCKFORD HOMES, INC. for the uses and purposes expressed better

In Witness The	reof. I have heres	unto set my h	and and	affixed	my official	seal '	tha
Ms committion	expires	Neiary	Public		State	of OF	nro.

The understand hereby certifies that this subdivision plat conforms to applicable zonanti Approved thus \_\_\_\_\_ Day of \_\_\_\_\_ Jefferson Township Zoning Inspector The undersigned hereby certifies adequate and least water and lanstary sewer plant capacities exist to serve this liability is no Approved this Day of The undersigned hereby certafies that this subdivision plat conforms to applicable Approved this Dav of \_\_\_\_\_ Franklin County Planning Commission Approved this \_\_\_\_\_ Day of \_\_\_\_ Franklin County Engineer Approved this \_\_\_\_\_ Day of \_\_\_\_\_ Franklin County Drainage Engineer 20 righti-of-way for the Drive and approved and accepted as such for the This day of Lane herein dedicated to public use are herei County of Franklin State of Ohto Franklin County Commissioners This plat shall not be transferred or recorded until all required signatures are secured Transferred this \_\_\_\_day of \_\_\_\_ Franklin County Ohio Deputs Auditor Franklin Counts Ohio Recorder Franklin Counts Obio File No. Recorded this \_\_\_\_\_day of \_\_\_\_\_\_ Deputs Recorder Franklin Counts Ohio



LOCATION MAP AND BACKGROUND DRAWING

BASIS OF BEARINGS: The bearings shown bereon were transferred from a field traverse originating from and tying to FCOS Monument Numbers 8811 and 6615 and is based on the Olto State Plane Coordinate Systems, South Zone, as per WAD BS A bearing of South 25 95879. East between said noriumnets and for the contentine of Hawner Comers Road is designated as the basis of bearings for this plan.

SOURCE OF DATA The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office. Franklin County, Ohio

IRON PINS from pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen systeembly inch inside diameter, thurs, unches long with a plastic plus; placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street contention are to be backered, diameter furn-inch long tools into print, are to be backered, diameter furn-inch long tools into print, are to be marked to the public street in the property of the passement. Once initialled the top of the passement. Once initialled the top of the passement. Once initialled the top of the print of the pr

RECEIVED

JUL 1 7 2018

Franklin County Planning Department Franklin County, OH

672.FP(c)

SURVEYED & PLATTED BY



We do hereby certify that we have surveyed the cooke premises, prepared the attached plot, and that add plot is correct. All dimensions are in feet and decimal parts thereof.

D = Van Pin (See Survey Date)

= W43 No to be set
 = Fermanent Warker (See Survey Data)

Professional Surveyor No 7865

NOTE "E": Al the time of platting, electric, cable, and telephone service providers have not issued information required to that elementar areas, in addition to thous show on this plat as deemed necessary by these providers for the mentaliants and antenessare of all of their mura line licities; mentaliants and antenessare of all of their mura line licities; execution of the mentaliants and antenessare of all of their mura line licities; execution and their mura line licities; and an experimental services of their mura line licities; and part thereof can be acquired by a competent examination of the their current public records, including those in the Franklin County Recorder's Office.

permitted, such as, but not limited to planting of flowers, shrubs, garden material etc. dumping of trash or debris, or the installation of any type of recreation or

No roadway or any facility of any public utility other than existing roadways and public utility facilities or those outlined in the original plan shall be permitted to be constructed or installed in the premises

land or title encumbrances of any nature, except to the extent specifically identified as such

NOTE "K . I FISHER PATH FASEMENT: A lessure out NOTE "K - LEISUKE PATH EASEMENT: A feasure path eight (f) feet is width of crushed limestone shall be constructed/natalled within designated open space shown record by the developer of Merrison Farme East and record by the developer of Merrison Farme East and the computed of the sources of the fee simple tallet to the fost of the fee simple tallet to the fost of the fost of the fost of the fee simple tallet on the fost of the fost of

	U.AC IMOU			
UNE	BEARING	DISTANCE	BME	
,ŧ	505′01′37°€	37.45	L2D	h
L2	507'25'28"E	35.79"	L21	5
L3	5:0:50*25*W	26.39	L22	h
L4	\$55'19"55"\	25.56	L23	9
Ļ5	\$64'57"36"W	31.75"	L24	,
LS	S88'58'45"W	53.02	L25	Ь
L7	S36"31"13"E	32.47	L26	4
18	NB8113'03'₩	30.68	L27	Ħ
L9	\$40'06'40'W	13 83"	L28	h
L10	\$57'06'20"W	33 63"	L29	Ь
LII	N05'03'53"E	13.42	1.30	٨
LF2	\$56'07'10"#	10.51	L31	^
L13	\$76'54'11"W	31 90"	₹32	٨

LF5 S59'57'21"W 13.37"

L17 S09'05'12"W 30.80"

LI9 557'50'18"E 24.56"

454'14'08'E 10.68' 36:50'58'E (25'44'11'E 20.69' 460.73.76.E 36.38 £33 S28'10'46'E 39.66' 3.59 L34 NB6'53'44'E L36 N28'43'47'E L37 N31'18'46'W L38 S74'51'32'E

#### DRAINAGE EASEMENT FRANKLIN COUNTY DRAINAGE ENGINEER

1 The shaded area (designated the Storm Water Maintenance I he shaded area (designated the Storm Water Martenance Easement) has been granted to the Franklin Count. Commissioners so that the Franklin Count. Drainage Engineer can maintain the Storm Sewers. Subsurface Drains. Structures and Culveris

2 No structure or improvements of any kind, including sheds, fences. flower beds, rock gardens and trees (but excluding grass and approved bank protection), shall be erected or planted within the eacement provided for the watercourse unless reviewed and approved by the Franklin County Dramage Engineer

3 Every owner of property within the storm water maintenance easement shall maintain the portion of said storm water acazement is their property and leve the same free of debts and obstruction of all kinds. Said maintenance shall be Instead to mousing removal of debts and further finance and in the said to the said the said to t

 $4\,$  The property owner will maintain the drainage structures swales underdrains and storm sewers along the side and back tot lines

5. These restrictions and agreements shall run with the land and shall bind the owner, his successors and assigns unless and until a modification or change thereto is agreed to and approved by Franklin County

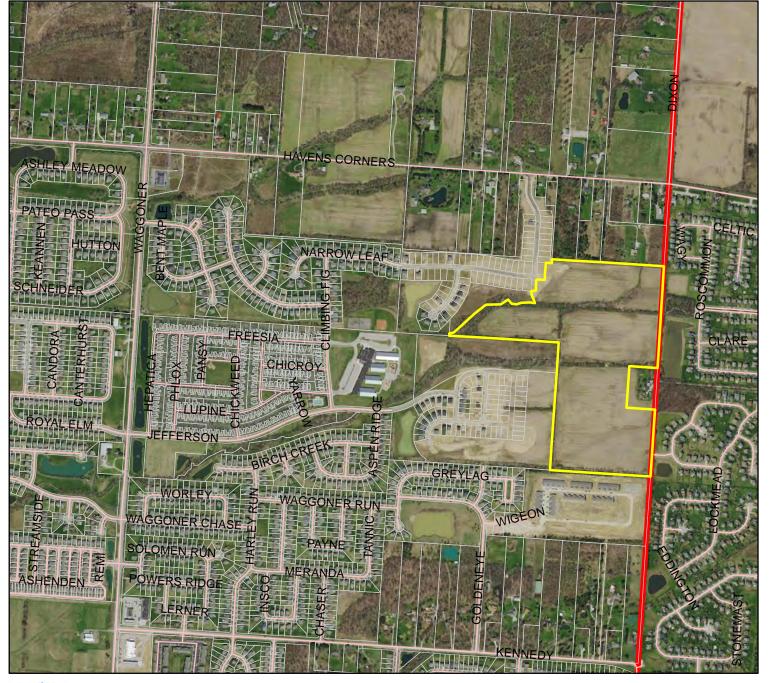
 $6\,$  All areas disturbed during maintenance operations will be reestablished with grass-tree removal will not be replanted

This sheet is for information purposes only and is not intended to create plat testrictions. More information required regarding the Dicki Maintenance Plan can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Pranklan County, Otio

HATCH LEGEND

Hatching for dich maintenance areas are shown here at constant widths. However actual widths of allowable maintenance areas van based on size of pepe and ensement. Dich maintenance allows ingress/egress to all areas requiring maintenance and will require funding sofficient to maintain adequate drainings.

3,



# 672-FP(c)

Requesting Final Plat approval to allow the creation of 39 single-family lots and 3 reserves.

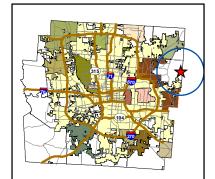
16.839 Acres Jefferson Township

Streets

Parcels

F

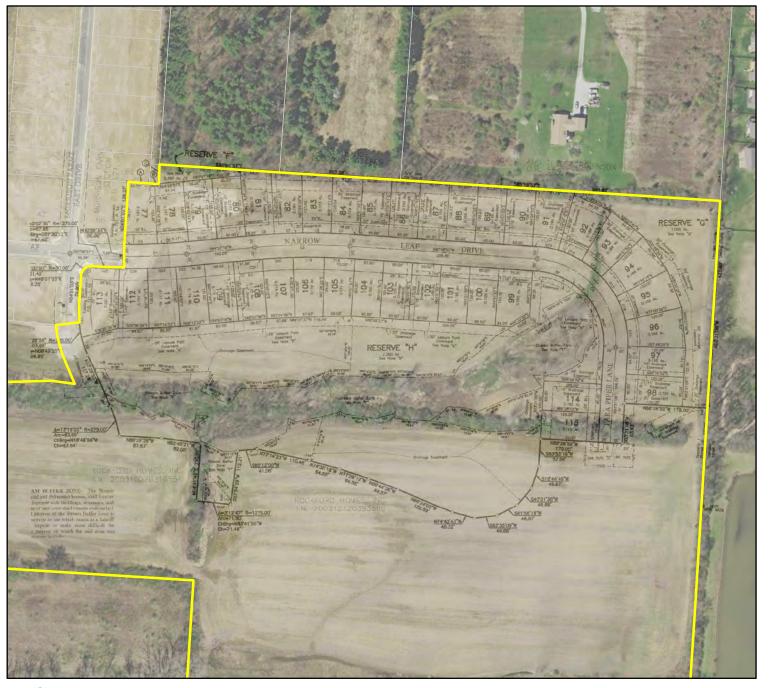
Franklin County Boundary





Franklin County
Where Government Works





# 672-FP(c)

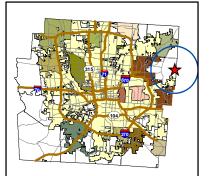
Requesting Final Plat approval to allow the creation of 39 single-family lots and 3 reserves.

16.839 Acres Jefferson Township

Streets

Parcels

Franklin County Boundary











**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

### **Economic Development & Planning Department**

James Schimmer, Director

# STAFF REPORT

Planning Commission August 8, 2018

### **Case 680-FP-2**

Prepared by: Matt Brown

**Applicant/Owner:** M/I Homes of Central Ohio

**Engineer:** EHM&T – Matt Kirk **Township:** Jefferson Township

**Site:** 2865 Darling Rd. (PID #170-000010)

Acreage: 15.13-acres

**Utilities:** Public water and wastewater

**Request:** Requesting Final Plat approval of the Weldon Phase 2 subdivision to

allow the creation of 39 single-family lots and 1 reserve.

### **Background and Proposal**

The Preliminary Plan for the Weldon subdivision was approved January 11, 2017 to allow the creation of a 78 lot single-family subdivision in 2 Phases with 31.6 acres of open space.

The Final Plat for Phase 1 was approved by the Franklin County Planning Commission on December 13, 2017 with 39 lots and 6 reserves.

The applicant is seeking Final Plat approval for Weldon Phase 2 to allow the creation of 39 lots and 1 reserve.

#### **Overview and Analysis**

Technical Review Committee agencies expressed no concerns with the Final Plat and the Final Plat conforms to the approved Preliminary Plan.

Note "G" of the final plat must be revised on the final plat submitted for signatures to include the language from Note "L" of the approved preliminary plan that "As part of the basement construction for the homes within the above mentioned lots, the developer will install inside and outside foundation drain tiles as well as a back up sump pump."

### **Staff Recommendation**

Staff recommends *approval* of the Final Plat for the Weldon Phase 2 subdivision.

As per Section 205.25 of the Franklin County Subdivision Regulations, the final plat must be recorded within 6 months of the date of approval.

# **WELDON PHASE 2**

Stituted in the State of Otao Count, of Franklin Township of Jefferson and in Quarter Township 2, Township 1, Range 16, United States Militars Lands, condustring 15 130 areas of Jand, more or less, said 15 131 acres being gast of foat irect of lead count, or do w/H HOMES OF CENTRAL ONIO, LLC by deed of record in Instrument Number 2017 INSTRUMENTS INSTRUMENTS.

The undersigned, M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability compain. In TIMOTEY C. BALL, JR., Area President owner of the land plated Area in disk authorior din the presists, does better, curify that they plat correctly represents to: "WELDON PHASE 2" a subdivision containing Lots numbered 310 is 30 to inchance and made designated a Resence "C. does facely sought big bit of some and deducates to positive area in sock, all of Clenton Park Wei and Menai Way thous herein and not betterfore deducated to plate 1.

In consideration of approval of this plat, the undersigned understands and agrees to falfill their obligations and responsibilities reflected in the subdivider's agreement and the subdivision regulations of Frankin County, Ohio Zoring, building and health permits may be withheld in this subdivision with the subdivider has complied with the fallowing progression of the pro

Essements one breiby reserved in over and under areas designated on this plat as Flasement or 'Dramage Essement'. Each of the aforementhoused designated essements show beneath and on the surface of the ground and where necessary, are for the construction, operation and manifemence of service connections to all adjacent loss and lands and for some value dramage. When those areas designated 'Dramage Essement' and and adjacent to the state of the state of the state of the state of special plates. The state of the state of the state of operating and maintaining major storm water dramage wales and/or other above ground some water dramage features. No above grade structures dams or other obstructions to see the or storm water and the permater love the Dramage Essement areas as defined on the plat in these oppins of by the Tramalian Count Engrade.

Iron pins shall be set at all lot comers prior to the transfer and acceptance of any treet for public purpose

In Witness Whereof, TIMOTHY C. HALL, JR., Area President of M/I HOMES OF CENTRAL OHIO, LLC, bas hereunto set bis hand this day of 20

Signed and Acknowledged In the presence of: M/I HOMES OF CENTRAL OHIO, LLC TIMOTHY C. HALL, JR.,

STATE OF OHIO COUNTY OF FRANKLIN SS:

Before me, a Notar, Public in and for said State, personally appeared TIMOTHY C. HALL, JR., Arica President of said Mill HOMES OF CENTRAL OHIO, LLC, who acknowledged the springs of the foregong instrument to be has to uluters act and deed and the volumes, act and deed and the volumes, act and deed and the volumes, act and deed and the volumes act and deed and the volumes act and seed and the volumes are seen as the

In Witness Thereof, I have hereunto set my hand and affixed my official seal thin

My committion expires \_\_\_\_\_\_\_Notary Public State of Ohio The underlimited hereby certifies that this hibdression plat conforms to applicable zoning Approved this Day of \_\_\_\_\_ Jefferson Township Zoning Inspector

The undersigned hereby certifies adequate and legal water and fanitary sewer plant capacities exist to serve this jubdivision

Approved this Day of \_\_\_\_\_ Director
Jefferson Water and Sewer District

The undersigned hereby certifies that this subdivision plat conforms to applicable subdivision regulations

Approved this \_\_\_\_\_ Day of \_\_\_\_\_

Approved this \_\_\_\_\_ Day of \_\_\_\_\_ Franklin County Engineer

Approved this \_\_\_\_\_ Day of \_\_\_\_\_ Franklin County Dramage Engineer

Franklin County Commissioners

Franklin County Planning Commission

This plai shall not be transferred or recorded until all required signatures are secured

Transferred this \_\_\_\_\_day of \_\_\_\_\_ Franklin County Ohio

Deputs Auditor Franklin County Ohio

Recorder Franklin County Ohio File No.

Recorded this day of \_\_\_\_\_\_ Deputs Recorder Franklin Counts Ohiii



LOCATION MAP AND BACKGROUND DRAWING

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone AND 83 11/8/16, Soid bearings ongrapted from a field travener which was ted (referenced) to said coordinate system by OFS observations of Frankin Cours, Engineering Department monuments 1133, 1134, 1144, 1161, 1163, 4425, 6612, 674h and 9964. The potence of the certestine of Dating soid has mig a bearing of South 632 557. West is designated the "basis of bearing" for fish plai

SOURCE OF DATA. The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio

IRON PINS from pini where indicated hereon, unless otherwise noted, are to be set and are tron pipes, thritten extremts instent similarly manner, thirty, inches long with a plastic plug placed in the top end bearing the initials EMHTT NC

PERMANENT MARKERS: Permanent markers, where inducted between in the public street creditation, are to be set to mornisment the points inducted. Just to be set after the construction/installation of the street pavement and are to be set with the top and con-foath not between the point will call to be set after the construction/installation of the street pavement and are to be at with the top and con-foath not between the point of the parameter. Once installed, the top of the parameter. Once installed, the top of the parameter.

RECEIVED

JUL 17 2018

Franklin County Planning Department Franklin County, OH

680-FP-2

SURVEYED & PLATTED BY

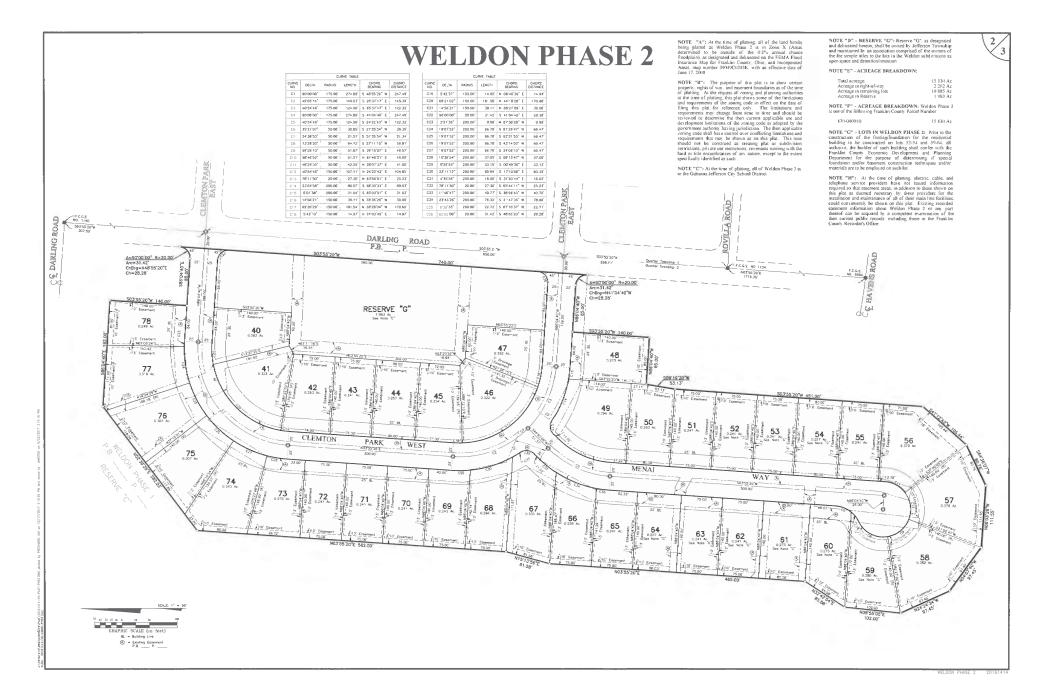


0 = Iron Pin (See Survey Dato)

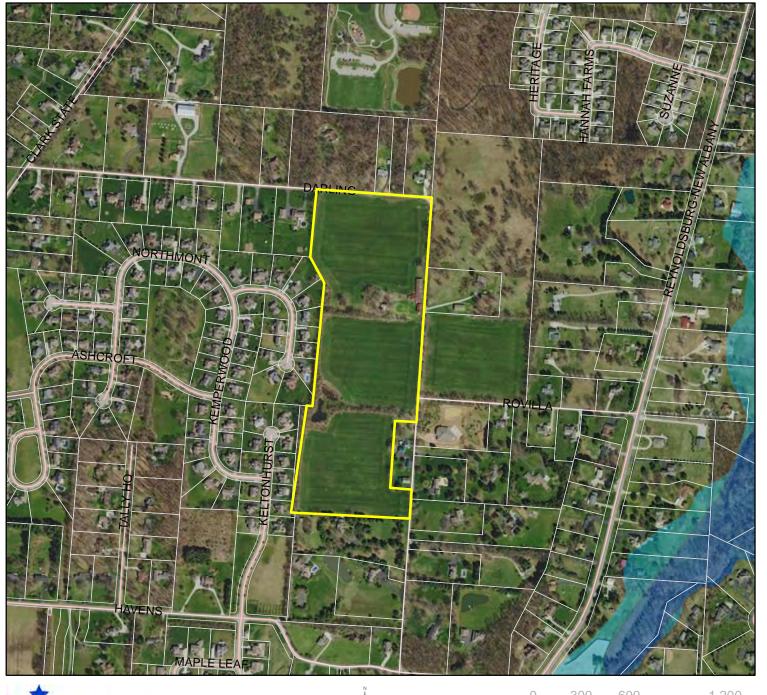
• = WAG Not to be set

• Permonent Worker (See Survey Dato)

By \_\_\_\_\_Professional Surveyor No. 7865







# 680-FP-2

Requesting Final Plat approval of the Weldon Phase 2 subdivision to allow the creation of a 39 single-family lots and 1 reserve.

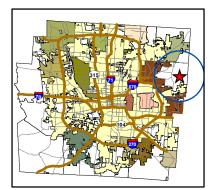
15.13 acres Jefferson Township

Parcels

Streets

Floodway Fringe

Floodway











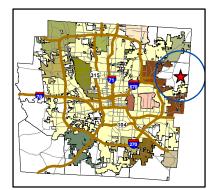
# 680-FP-2

Requesting Final Plat approval of the Weldon Phase 2 subdivision to allow the creation of a 39 single-family lots and 1 reserve.

15.13 acres Jefferson Township

Parcels

Streets











**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

**Economic Development & Planning Department** 

James Schimmer, Director

# STAFF REPORT

Planning Commission August 8, 2018

Case: 696-V Prepared by: Brad Fisher

Owner: Wentz Mary Victoria Tr, Albers John B Tr, Larson Karen L Tr, Zelasko

Mary Susan Tr & Albers James S Tr

**Applicant:** John Albers

**Township:** Jefferson Township

Site: 3399 Mann Road (PID # 170-000016, 170-002395)

Acreage: 0.99-Acres

**Utilities:** Private water and wastewater

**Request:** Requesting a Variance from Sections 501.05 and 502.01 of the Franklin

County Subdivision Regulations to allow a lot line adjustment that would result in one lot exceeding the maximum depth to width ratio, creating a side lot line more than five (5) degrees of perpendicular to the roadway

and leaving the residual lot with no road frontage.

### **Summary:**

The applicant is requesting a Variance to allow a lot line adjustment that will result in a parcel that exceeds the maximum depth to width ratio and results in a side property line more than five (5) degrees of perpendicular to the street centerline and would leave the residual lot with no road frontage. The application satisfies the criteria necessary to grant a variance. Staff recommends <u>approval</u> with conditions.

### **Request:**

The site is located on the west side of Mann Road, between Havens Corners Road and Havens Road in Jefferson Township. The 5.46-acre lot that is gaining acreage is deeded together with parcel number 170-002394, to the west and south, developed with a single-family home and detached garage, both built in 1996. The 13.33-acre lot that is losing acreage is developed with a single-family home and detached garage, both built in 1980. All three (3) lots affected gain access to Mann Road by a cross-access easement.

The applicant is proposing to adjust 0.99-acres, which provides 67 feet of road frontage along Mann Road, to the lot to the northwest. The depth to width ratio of the proposed parcel would be 28 to 1. The maximum permitted depth to width ratio is 4 to 1. The applicant is also seeking a variance to the requirement for a side lot line to be within five (5) degrees of perpendicular to the street and allow for no road frontage for the lot losing acreage.

# **Surrounding Zoning and Land Use:**

The surrounding area is zoned Restricted Suburban Residential District (RSR) in Jefferson Township and is low density residential in character. The minimum lot size in the RSR District is 1 acre with a minimum lot width of 60 feet at the right-of-way and 150 feet at the front line of the dwelling.

The applicant received approval from Jefferson Township on May 1, 2018 to allow for zero (0) feet of road frontage for the lot losing acreage.

# **Comprehensive Plan:**

The Jefferson Township Comprehensive Plan, adopted by the Jefferson Township Board of Trustees in 1996, recommends the area for low density residential use, with the intent to retain an overall density that is lower than other areas of the township. The proposal will not create a new lot, therefore the residential density will not change in an area zoned Restricted Suburban Residential (RSR).

### **Technical Review Agencies**

Franklin County Engineer's Office & Franklin Soil & Water Conservation District Indicated no concerns with the proposed lot split.

### **Jefferson Township**

Approved a variance request on May1, 2018 for the lot line adjustment proposal.

# **Staff Analysis**

### Variance Criteria from Section 701.01:

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.

  Staff believes the proposed lot split will not be detrimental to public health or safety or be injurious to other property.
- 2. Circumstances of the request are unique to the property and not generally applicable to others. The requested variance is unique in that the area to be adjusted will remain in a cross-access easement that provides access to all properties involved.
- 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 applicant stated that the lot configuration has occurred for approximately 70 years and cannot be changed at this point.

Staff agrees that there is no way to meet road frontage requirements for the two lots affected.

# **Staff Recommendation**

Based on Staff's analysis, staff recommends *approval* with conditions of the Variance request from Section 501.05 and 502.01 of the Franklin County Subdivision Regulations to allow a lot line adjustment that would result in one lot exceeding the maximum depth to width ratio, creating a side lot line more than five (5) degrees of perpendicular to the roadway and leaving the residual lot with no road frontage. The condition of approval is that the applicant must apply for and receive approval of the proposed lot line adjustment from the Franklin County Economic Development and Planning Department.

Findings of	Fact
For your con	venie

For your convenience,	the following are proposed findings of fact if the Variance is granted:
	moves that the basis for approving the applicant's request for the Variance from 02.01 of the Franklin County Subdivision Regulations as outlined in the request t identified in Case No. 696-V results from the applicant satisfying the standards for order Section 701.07.
Seconded by:	
Voting:	

701.07 General Standards for Variances. The FCPC shall not grant variations to these Regulations unless it shall make written findings of fact based upon the evidence presented by each specific case that:

- A. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant, as distinguished from a mere inconvenience, if the provisions of these Subdivision Regulations were strictly enforced; and
- B. The conditions upon which the request for a variance is based are unusual to the property for which the variation is sought and are not applicable generally to other property; and
- C. The purpose of the variance is not based exclusively upon a desire to obtain additional income from the property; and
- D. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- E. The special circumstances or conditions are created by the provisions or requirements of these regulations and have not resulted from any act of the applicant or applicant's predecessor in interest;
- F. The variance requested is the minimum adjustment necessary for the reasonable use of the land.



# 696-V

Requesting a Variance from Section 501.05 and 502.01 of the Franklin County Subdivision Regulations to allow a lot line adjustment that would result in one lot exceeding the maximum depth to width ratio, creating a side lot line more than five degrees of perpendicular to the roadway and leaving the residual lot with no road frontage.

Acres: 0.990 Township: Jefferson

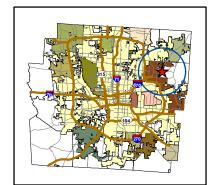
3399 Mann Rd

Parcels

--- Streets

Floodway Fringe (100 year)

Floodway











# 696-V

Requesting a Variance from Section 501.05 and 502.01 of the Franklin County Subdivision Regulations to allow a lot line adjustment that would result in one lot exceeding the maximum depth to width ratio, creating a side lot line more than five degrees of perpendicular to the roadway and leaving the residual lot with no road frontage.

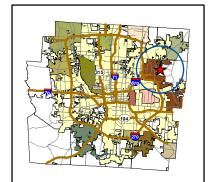
Acres: 0.990 Township: Jefferson

3399 Mann Rd

----- Proposed Lot Line

Parcels

Streets









2740 East Main Street, Columbus 43209 (Bexley), Ohio FAX:614-235-4559 614-235-8677

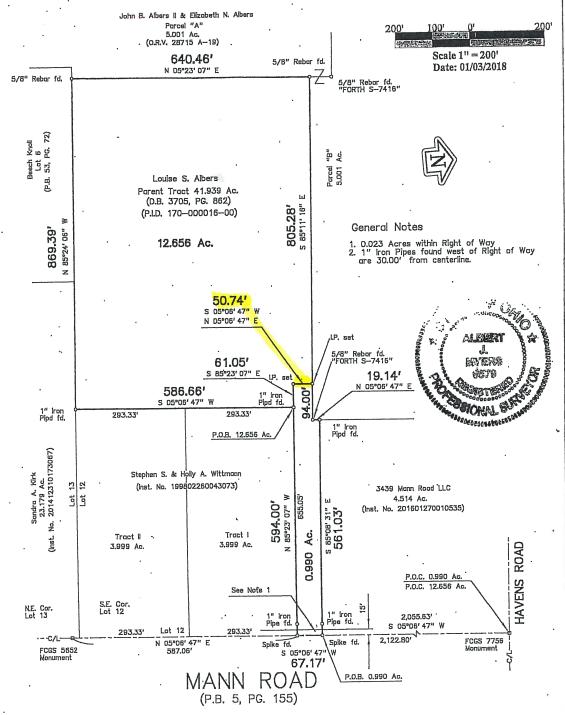
A Boundary Survey prepared for and certified to:

#### Albers and Albers

Legal Description: Situated in The State of Ohio, County of Franklin, Township of Jefferson Being 13.645 Acres, Part of Lot 12 in

Deed Book 2, Page 81 & Plat Book 17, Page 120, Quarter Township 2, Township 1, Range 16, United States

Posted Address: 3399 Mann Road



We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pipes set are 30"x1" O.D. with an orange plastic plug inscribed "MYERS P.S. 6579", unless otherwise noted. Basis of bearings is the centerline of Mann Road held as South 05° 06' 47" West per Deed Book 3705, Page 862.

Myers Surveying Co., Inc.

Professional Surveyor

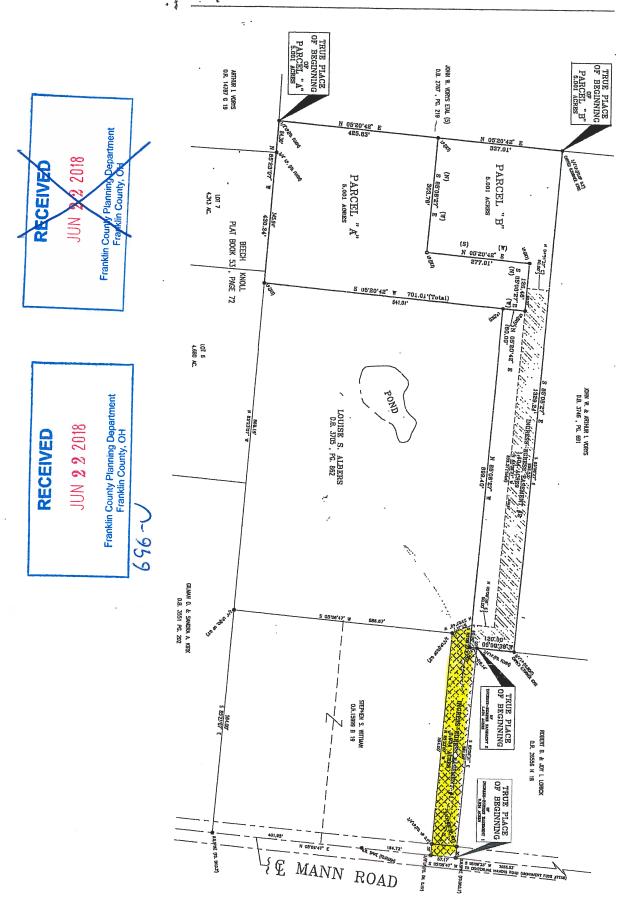
JUN 2 2 2018 RECEIVED

EXHIBIT

Franklin County Planning Department Franklin County, OH

Myers Order No. - 4-09/27/2017

Ltr.



# RECEIVED

JUN 2 2 2018

Franklin County Planning Department Franklin County, OH

# **VARIANCE or APPEAL APPLICATION**

for unincorporated Franklin County

Franklin County Development Department – Franklin County Planning Commission 150 S. Front Street, FSL Suite 10 Columbus, OH 43215 Phone: (614) 525-3094

to be completed by FCPC Staff

Date Submitted: 6/04/10	Received By:
Application No.: <u>696-V</u> Fee: <u>\$700</u>	FCPC Date: 8,8,18
Property Owner/Subdivider/or Agent	
Signature: M dlu	Date: 6,21,18
Name: R. ALRES	
Address: ATTORNEY AT LAW	
City, State, Zip: Columbis, OHIO 43215	Phone No: (614) 464- 4414 EXT
Section numbers(s) of the county subdivision regula variance(s) or appeal(s) requested:	ations and a brief description of
SEE PART 1 ATTACHE	O.

Use a separate sheet to present additional description or information explaining why you feel the FCPC should grant the requested variance(s) or appeal(s).

SEE PART 2 ATTACHED

- <u>Part 1</u> Sections of the County subdivision regulations and descriptions of variances sought.
  - 1. Variance from Section 501.05 requiring side lot lines to be within 5 degrees of perpendicular or radial to street center line.
    - A. As set forth on the attached map and highlighted in yellow as Exhibit B, there is a 50.74 foot portion of the side lot line that is not perpendicular to the street center line.
  - 2. Variance from Section 501.05 requiring lot depth to width ratio shall not exceed 4 to 1. Depth shall be measured from the rear lot line to the street center line. Width shall be measured parallel or tangent to the street center line, 100 feet back from the street center line.
    - A. The new proposed .990 acre parcel being split from parcel number 170-000016-00 (being 12.656 acres) would be attached to applicants parcel number 170-002395-00 (being 5.001 acres). The width of the .990 acre parcel is 67.17 feet and the depth of such parcel is 665.05 feet.  $4 \times 67.17 = 268.68$ . As such, the ratio is exceeded by more than 4 to 1 currently. When said .990 acre tract is attached to parcel number 170-002395-00 such depth to width ratio shall be exceeded to a greater degree.
  - 3. Variance from 502.01 which requires that lots shall front along and have access to publicly maintained streets or roads.
    - A. Attached please find Exhibit A-1 and Exhibit B. To explain: In 1995, Louise S. Albers applied for and obtained a lot split creating parcels A (#170-002394-00) and B (#170-002395-00), each being 5.001 acres. A variance was sought and obtained from the front footage requirements of the zoning code to create such parcels with access to Mann Road, sharing such access with the parcel owned by Louise S. Albers (hereafter the "Joint Driveway Area" highlighted in yellow on the attached Exhibit A-1). Currently the Joint Drive Area is part of the parcel owned by Louise S. Albers Revocable Trust (Parcel No. 170-0000-16).

Page 1 of 2

RECEIVED

JUN 2 2 2018

Franklin County Planning Department Franklin County, OH Now, the Louise S. Albers Revocable Trust, Successor to Louise S. Albers, seeks to convey the .990-acre Joint Drive Parcel depicted on Exhibit B to John B. and Elizabeth N. Albers, and an ingress/egress and utility easement will be retained by the Louise S. Albers Revocable Trust across such parcel for access to Mann Road by the property owned by the Louise S. Albers Revocable Trust. See Exhibit B attached. **As such, said property will not be land locked.** 

The Jefferson Township Board of Zoning Appeals has approved a variance on May 1, 2018 with relation to this matter.

- Part 2 Following is an explanation of the reasons for which the above stated variances are sought with reference to Section 701.07 General Standards for Variances contained in the County subdivision regulations.
  - 1. Variance number 1 is a very minor deviation from the requirement that side lot lines be perpendicular to the street center line. The 12.565 acre parcel is quite large and is really not affected at all by said side lot line of 50.74 feet. The residence located on the 12.565 acre parcel is positioned toward the center of the parcel and this side lot line encroachment does not impair or reduce its side lot line distance to the north at all. Further, such side lot line is needed to "square off" the parcel being conveyed and it would be a practical difficulty to applicant if the regulations were strictly enforced. The conditions upon which the request for variance is based are unusual to the configuration of this property and the variance is not based on a desire to obtain additional income. There is no additional burden placed on any properties by the grant of any of these variances. All properties will continue to be utilized in the same fashion as before. It is simply the conveyance of a parcel from one owner to an adjacent related owner. Further, the grant of the variance will not be detrimental or injurious to the property or the neighborhood. Further, the conditions requiring this variance are a result of the original configuration of the properties which occurred approximately 70 years ago and cannot be changed at this point. Further, the variance requested is a minimum adjustment necessary for this land use.
  - 2. Variance number 2 relates to the width to depth ratio requirement of section 501.05. As set forth above, the width to depth ratio has already been exceeded by several hundred feet by the current configuration of the property. Appending the proposed .990 acre parcel to Parcel B (#170-002395-00) will have no detrimental effect on any of the properties. Further, there are substantial practical difficulties which would be imposed on applicant if the regulations were strictly enforced. The conditions upon which the request for variance is based are unusual to the configuration of this property and the variance is not based on a desire to obtain additional income. There is no additional burden placed on any properties by the

grant of any of these variances. All properties will continue to be utilized in the same fashion as before. It is simply the conveyance of a parcel from one owner to an adjacent related owner. Further, the grant of the variance will not be detrimental or injurious to the property or the neighborhood. Further, the conditions requiring this variance are a result of the original configuration of the properties which occurred approximately 70 years ago and cannot be changed at this point. Further, the variance requested is a minimum adjustment necessary for this land use.

3. Variance number 3 relates to section 502.01 and the requirement that the 12.656 acre parcel have access to Mann Road and not be land locked.

As stated above, the conveyance of the proposed .990 acre parcel to the applicant by the 12.656 acre property owned by the Louise S. Albers Revocable Trust will reserve an easement for ingress/egress and utilities across such .990 acre parcel. As such, said 12.656 acre parcel shall have access to Mann Road and not be land locked.

The conveyance of said .990 acre parcel will have no detrimental effect on any of the properties. Further, there are substantial practical difficulties which would be imposed on applicant if the regulations were strictly enforced. The conditions upon which the request for variance is based are unusual to the configuration of this property and the variance is not based on a desire to obtain additional income. There is no additional burden placed on any properties by the grant of any of these variances. All properties will continue to be utilized in the same fashion as before. It is simply the conveyance of a parcel from one owner to an adjacent related owner. Further, the grant of the variance will not be detrimental or injurious to the property or the neighborhood. Further, the conditions requiring this variance are a result of the original configuration of the properties which occurred approximately 70 years ago and cannot be changed at this point. Further, the variance requested is a minimum adjustment necessary for this land use.



**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

**Economic Development & Planning Department** 

James Schimmer, Director

# STAFF REPORT

Planning Commission August 8, 2018

Case: 697-V Prepared by: Brad Fisher

Owner/Applicant: Daniel & Amy Moore Blendon Township

**Site:** 6307 Ulry Road (PID #110-003005)

Acreage: 7.58-acres

**Utilities:** Private water and wastewater

**Request:** Requesting a Variance from Sections 402.01(B) and 502.01 of the Franklin

County Subdivision Regulations to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and

have access to, a publicly maintained street.

### **Summary:**

The applicant is requesting a Variance to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and have access to, a publicly maintained street. The application satisfies the criteria necessary to grant a Variance. Staff recommends *approval* with conditions.

#### **Request:**

The subject site is located on the west side of Ulry Road, between Warner Road and Central College Road, and includes a single-family home that was constructed in 2015. The existing single-family home gains access from a cross-access easement with a drive to the north. A single-family home and accessory buildings were removed from the property between 2000 and 2004, which gained access from Ulry Road.

The applicant is proposing to split 1.423-acres from the 7.585-acre lot, which would not provide road frontage for the 1.423-acre lot, and the proposed septic system on the remaining 6.192-acre lot would be located in poorly drained soils.

### **Surrounding Zoning and Land Use:**

The subject site and surrounding properties to the north, west and south are zoned Restricted Suburban Residential (R-1) in Blendon Township and primarily developed as single-family residential. Land to the east is zoned Residential in the City of Columbus, and is vacant and partially wooded.

# **Comprehensive Plan:**

The Blendon Community Plan, adopted in 2010, contains a Future Land Use Map that recommends the area for Low Density Residential development. The recommended land use is for Restricted Suburban Residential development with a maximum density of one (1) unit per acre. The proposed lot splits keep with the land use recommendation.

### **Technical Review Agencies**

Franklin County Engineer's Office and Franklin Soil & Water Conservation District Indicated no concerns with the proposed lot split.

### **Blendon Township**

Approved a variance to allow the 1.423-acre lot to have no road frontage on July 20th, 2018.

### **Staff Analysis**

# Variance Criteria from Section 701.01:

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.

  Staff believes the proposed lot split will not be detrimental to public health or safety or be injurious to other property provided the septic system design is approved by Franklin County Public Health.
- 2. Circumstances of the request are unique to the property and not generally applicable to others. The applicant stated that the existing home has a cross-access easement with the parcel to the north, providing access to Ulry Road, and no additional access points are needed.

The applicant also stated that if the septic system design were not approved by Public Health, they are willing to relocate the septic system to a location that is acceptable by both Franklin County Public Health and the Soils Scientist.

Staff agrees that the circumstances of the request are unique due to the properties not requiring additional access points and that the 1.423 and 6.192-acre lots have already been developed with septic systems.

Staff notes that Franklin County Public Health would still need to approve the existing septic system on the proposed 1.423-acre lot due the lot size being reduced, the septic system on the proposed 6.192-acre lot, and provide proof that the old septic system on the proposed 6.192-acre lot was properly abandoned.

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. Staff notes that the proposed 1.423-acre lot has already been granted a cross-access easement providing access to Ulry Road, and provided Franklin County Public Health approves a septic system design, the intent of these Regulations would be met.

### **Staff Recommendation**

Staff recommends <u>approval</u> with conditions of a Variance request from Sections 402.01(B) and 502.01 of the Franklin County Subdivision Regulations to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and have access to, a publicly maintained street. The conditions of approval are as follows:

- 1. The applicant must apply for the proposed lot split with the Franklin County Economic Development and Planning Department.
- 2. The applicant must receive approval from Franklin County Public Health for the septic system design and location for the 1.423 and 6.192-acre lots.

Fin	dings	of	Fact

For your convenience, the following are proposed findings of fact if the Variance is granted:
moves that the basis for approving the applicant's request for the variance from Sections 402.01(B) and 502.01 of the Franklin County Subdivision Regulations as outlined in the request above for the applicant identified in Case No. 697-V results from the applicant satisfying the standards for granting a Variance under Section 701.07.
Seconded by:
Voting:

**701.07 General Standards for Variances.** The FCPC shall not grant variations to these Regulations unless it shall make written findings of fact based upon the evidence presented by each specific case that:

- A. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant, as distinguished from a mere inconvenience, if the provisions of these Subdivision Regulations were strictly enforced; and
- B. The conditions upon which the request for a variance is based are unusual to the property for which the variation is sought and are not applicable generally to other property; and
- C. The purpose of the variance is not based exclusively upon a desire to obtain additional income from the property; and
- D. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- E. The special circumstances or conditions are created by the provisions or requirements of these regulations and have not resulted from any act of the applicant or applicant's predecessor in interest; and
- F. The variance requested is the minimum adjustment necessary for the reasonable use of the land.



# 697-V

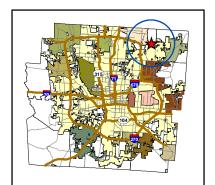
Requesting a Variance from Sections 402.01(B) and 502.01 of the Franklin County Subdivision Regulations to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and have access to, a publicly maintained street.

Acres: 1.423 Township: Blendon

6307 Ulry Rd

Parcels

Streets









# 697-V

Requesting a Variance from Sections 402.01(B) and 502.01 of the Franklin County Subdivision Regulations to allow a lot split that would result in a septic system to be located in poorly drained soils and not front along, and have access to, a publicly maintained street.

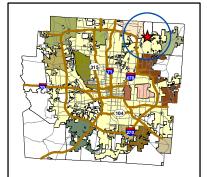
Acres: 1.423 Township: Blendon

6307 Ulry Rd

Proposed Lot Line

Parcels

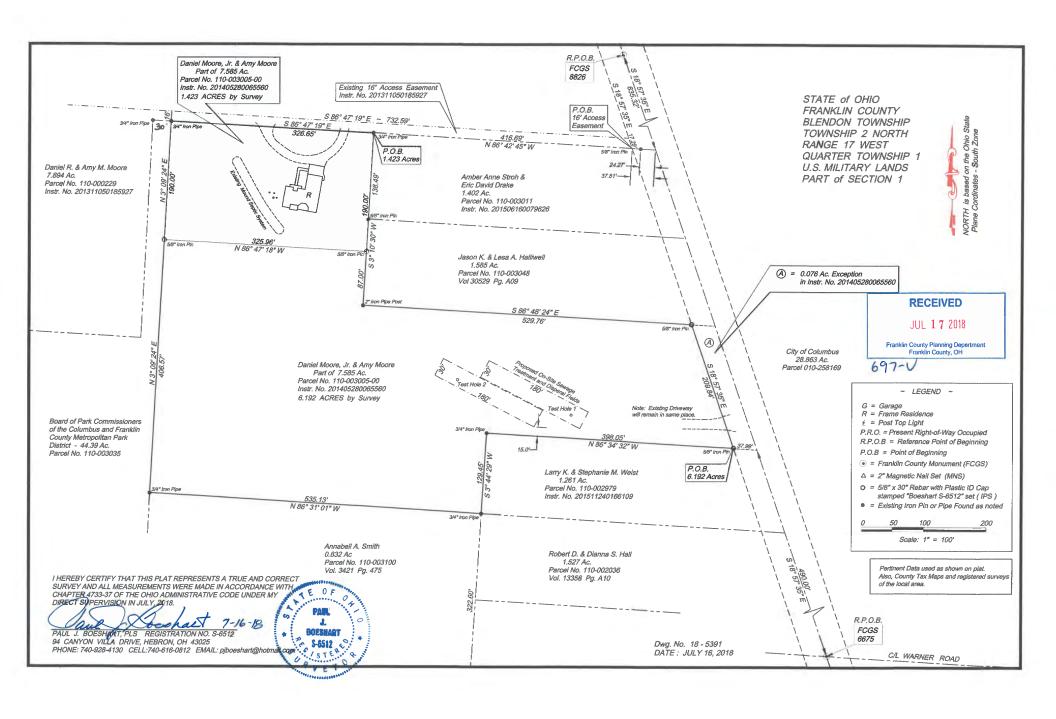
Streets











# RECEIVED

JUL 17 2018

Franklin County Planning Department Franklin County, OH

# **VARIANCE or APPEAL APPLICATION**

for unincorporated Franklin County

Franklin County Development Department – Franklin County Planning Commission 150 S. Front Street, FSL Suite 10 Columbus, OH 43215 Phone: (614) 525-3094

to be completed by FCPC Staff

Date Submitted: 7 / 17 / 18  Application No.: 657-V Fee: 1,050	Received By: BMF  FCPC Date: 8 / 8 / 18
Property Owner/Subdivider/or Agent	
Signature: David R moore	Date: 7 / 15/ 18
Name: Daniel R Maore	
Address: 6381 U1R 178	
City, State, Zip: WesTerville OH 43081	Phone No: ( <u>6)4</u> ) <u>705</u> - <u>8994</u>
Section numbers(s) of the county subdivision regulation variance(s) or appeal(s) requested:	ns and a brief description of
Please see next page	
Section 402.01(B)	
Section Solos	
Section 502,01	

Use a separate sheet to present additional description or information explaining why you feel the FCPC should grant the requested variance(s) or appeal(s).

- **701.07 General Standards for Variances**. The FCPC shall not grant variations to these Regulations unless it shall make written findings of fact based upon the evidence presented by each specific case that:
  - A. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant, as distinguished from a mere inconvenience, if the provisions of these Subdivision Regulations were strictly enforced; and
  - B. The conditions upon which the request for a variance is based are unusual to the property for which the variation is sought and are not applicable generally to other property; and
  - C. The purpose of the variance is not based exclusively upon a desire to obtain additional income from the property; and
  - D. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
  - E. The special circumstances or conditions are created by the provisions or requirements of these regulations and have not resulted from any act of the applicant or applicant's predecessor in interest; and
  - F. The variance requested is the minimum adjustment necessary for the reasonable use of the land.
- **701.09 Conditions**. In approving any variance, the FCPC may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Subdivision Regulations.
- 701.11 FCPC Action. A staff report and recommendation shall be forwarded to the FCPC, the applicant and, if zoning is not under the authority of the FCEDP, the appropriate Township Zoning Official. In recommending approval of a variance or appeal, FCPC may recommend conditions be imposed consistent with the intent and purpose of the Regulations. Flexibility of standards in planned zoning districts may be warranted.

#### Variance

Franklin County Development and Planning

150 S. Front St.

FSL Suite 10

Columbus, OH 43215-6314

Brad Fisher - 614-525-4684

Hello Brad,

I have copied your comments from your email based on preliminary review of the lot split application. Based on full review, the first deficiency 402.01(B) may not be a deficiency at all. See below so that I may answer each proposed variance that may be required. Please see my answers required by 701.07 below.

#### Brad's notes from email:

On the survey or separate measurable site plan please make sure to include the soils type boundary lines, the test hole sites for the septic systems (both the 1.42 and 6.16-acre lots) as shown on the soils evaluation site plan, and indicate if the existing drive/apron on the 6.16-acre lot will be retained or if it is proposed in a different location.

From what I can tell, without reviewing a survey yet, the application would be denied due to the following deficiencies:

- Section 402.01(B) It appears the 6.16-acre lot would have a wastewater treatment system located in poorly drained soils, specifically the Mitawanga Silt Loam soils type.
- Section 501.05 The new 326 foot side lot line, though in line with the surrounding lot lines would most likely be beyond 5 degrees from perpendicular to the street centerline.
- 502.01 The 1.42-acre lot, though it may have access to a shared drive, would not front along, and have access to, a publicly maintained street or road.

Let me know if you have any questions.

Thanks,

Brad M. Fisher

**Planner** 

#### **Owners answers**

Section 402.01(B) – If it is determined the existing Mitawanga soils is a concern for a typical septic system, we propose the same system designed and approved for the new home by Active be considered. This system is designed for slow drip dispersion on a mound and can be adjusted further for various soil types simply by widening, lengthening, or raising the bed heights. The test holes and findings for both

areas on the land are very similar. If this is not acceptable the septic site could be moved further towards the front of the property into BE soil where the original septic system was installed for the original home built in the 50's prior to it being moved to a different site.

Section 501.05 – Request variance for the proposed south boundary line for the lot split for the 1.42 acre lot being more than 5 degree from perpendicular to Ulry. This proposed boundary is consistent with how all the surrounding lots both east and west of Ulry Rd have been designed. These lots were divided in the 1950's prior to subdivision regulations. I request a variance of the 5 degrees so the land divisions can stay consistently parallel to each other and it provides a logical break between the lots. It's also what has been accepted and negotiated as the land area to be purchased with the new home.

Section 502.01 – Request variance to have the home maintain access and entrance from the private drive on the North boundary. This drive provides access to both 6381 and 6307 at this time and has for the last 2 years. This is how the 6307 home was designed originally when new construction plans were submitted and approved by Franklin County and Blendon Township. Changing the orientation of the home, moving the well or septic system as well as the driveway would not be possible at this time without significant and unnecessary costs. If there is concern for public services such as police, fire, rescue or other to service this new 1.42 acre parcel from the private drive, please note that those services have already been utilized when the original occupant suddenly died. Beyond that this private drive has power lines serviced by AEP, we have had many large vehicles to this site during construction. Examples were: Crane, Truss delivery semi, AEP service vehicles, police, ambulance, fire and just about every delivery type truck FedX, UPS, and so forth. Access to this area is open, clear and can accept large vehicles of any type.

Specifically making sure I properly address all the General Standards for Variances 701.07 to the best of my ability, I make the additional comments for these variances.

- A. I believe I have logically explained why we request variance due to the physical surroundings, why the subdivision regulations should not be strictly enforced. We did try to sell the entire property for 5 months prior to considering a lot split. There was no interest in the current lot and home as is, once we provided another option, future buyer was interested. There is a benefit to me to have this lot split approved, so I can sell this home and a benefit to Franklin County and Blendon Twp to approve in-order to allow another parcel, future home and an increase in property tax revenue. The lot split requested and home designs are consistent with what is already existing in this neighborhood.
- B. The conditions for this request is not based on unusual requests and have been applicable to other properties.
- C. The purpose of this variance is not based on a desire to obtain additional income from this property. The original purpose of me buying the land was to surround myself with as much protected space and enjoy the wildlife present in this area. This home was built with a close friend of mine and was going to be his retirement home, but he unexpectedly died 14 months after the home was complete. I don't want to be a landlord and this home wasn't build to be a

rental. It is financially a big hardship for me to make both mortgage payments as this home is empty. We want this home to be well cared for and hope one additional home is built on the remaining 6+acres. We would rather see that than see the significant amounts of construction taking place east side of Ulry. Since Westerville metro parks purchased significant land around us, we feel reasonably assured we will be able to enjoy the existing nature and this helps make selling this land easier.

- D. The approval of this lot split will not be detrimental to the public health, safety or injurious to the neighborhood. It will have the opposite affect by increasing property value and being cared for well an improvement for this area.
- E. There are no special circumstances I am aware of that created these requirements and no predecessor interested in these variances requested.
- F. I believe the requested variances are the minimum adjustment necessary for good reasonable use of the land. This lot split fulfills giving the existing home plenty of room for a typical family to enjoy, we have maintained back up area for septic if anything would happen to the existing system, there is a family desiring to purchase this home and the lot division is consistent in size, condition and access with the surrounding lots.



**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady President

#### **Economic Development & Planning Department**

James Schimmer, Director

## STAFF REPORT

Planning Commission August 8, 2018

Case: ZON-18-05
Prepared by: Brad Fisher

Owner/Applicant: 1350 Emig Road LLC Franklin Township

**Site:** 1350 Emig Road (PID# 140-000386)

**Acreage:** 2.4-acres

**Utilities:** Private water and public wastewater

**Request:** Requesting to rezone from the Rural district to the General Industrial (GI)

district.

### **Summary**

The applicant is requesting a rezoning from the Rural district to the General Industrial (GI) district to allow the entire site to be developed industrially. The request is consistent with recommendations of the Southwest Area Plan. Staff recommends *approval*.

#### **History**

The subject site has been operating as a tractor trailer storage facility and salvage yard for over 20 years without an approved Zoning Compliance. The applicant has combined the 2.4 +/- acre lot with the adjacent 9.44 +/- acre lot to the east with the intention of unifying the 11.84 +/- acre lot as a General Industrial (GI) zoning district. Currently the combined 11.84 +/- acres is split zoned. The applicant submitted a Zoning Compliance in June, 2018, requesting to redevelop the site as a vehicle impound lot and truck repair shop.

#### Request

The site is located on the southeast side of Emig Road, between Harmon Avenue and Interstate 71, in Franklin Township. The applicant is requesting to rezone the 2.4 +/- acre lot from Rural to General Industrial (GI). If the rezoning is approved, the site may be used for any permitted use in the General Industrial (GI) district that complies with the applicable development standards.

### **Surrounding Land Use and Zoning**

Properties to the north are zoned Manufacturing in the City of Columbus, and developed with warehousing and construction equipment rental. Interstate 71 is to the east. The property to the south and west is zoned Rural in Franklin Township, owned by the City of Columbus and serves as a Grid Pad Facility.

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

## **Comprehensive Plan**

The Southwest Area Plan, adopted in 2009, contains a Future Land Use Map and Guidelines that recommend this property for a broad range of Industrial uses. Corresponding zoning districts include: Limited Industrial (LI), General Industrial (GI) and Planned Industrial Park (PIP).

The request is consistent with the Plan's future land use recommendations and will unify the entire site as General Industrial (GI).

#### **Staff Analysis**

#### Existing zoning – Rural:

The Rural district is intended for agricultural and residential development in the County where the conservation of resources is important or where appropriate urban use of land cannot be achieved. This is no longer the case for this property as it, and all other properties in the immediate area have developed industrially. Examples of permitted uses include: Single-family dwelling, Home Occupation, Accessory Buildings, Schools, Parks and Day Cares.

## <u>Proposed zoning – General Industrial:</u>

The General Industrial (GI) district is provided for heavy manufacturing and extensive industrial uses requiring large sites and a total range of services and facilities, including appropriate access to highly developed and integrated transportation facilities. These industries generally operate inside enclosed structures and open storage areas.

The subject site has been combined with the property to the east, and is capable of meeting all general development standards in the General Industrial (GI) district.

#### **Development Standards**

- Lot Size- No minimum
  - o Primary operation, open storage, service areas and loading docks must be entirely enclosed or screened by walls or fences at least six (6) feet but not more than 12 feet in height, with an opaqueness of 75 percent or more from adjoining streets and residential zoning districts.
- Lot Width- 100 feet
- Side Yard- 15 feet
- Rear Yard- 50 feet
- Maximum Height- Structure is 100 feet. Secondary structures to the principal use is 150 feet.
- Front Green Belt- 15 feet
- *Front Yard Setback* Average setback observed by the industrial buildings on the same side of the street within the same block (80 +/- feet from public right-of-way).
- Landscaped Open Space- Required perimeter green belts and minimum yards to non-industrial uses must be provided, and an overall green space of 7 percent is required.

#### **Technical Agency Review:**

Technical Review Agencies indicated no concerns with the proposed rezoning.

#### **Staff Review**

The proposed rezoning keeps with the land use recommendation of the adopted comprehensive plan and meets the intent of the General Industrial (GI) district by providing for a large site to be developed, and located near a highway.

Staff believes that the proposed rezoning advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the overall development of the surrounding area.

# **Staff Recommendation**

Staff recommends <u>approval</u> of the request to rezone from the Rural district to the General Industrial (GI) district.



# **ZON-18-05**

Requesting to rezone from the Rural district to the General Industrial (GI) district.

Acres: 2.400 Township: Franklin

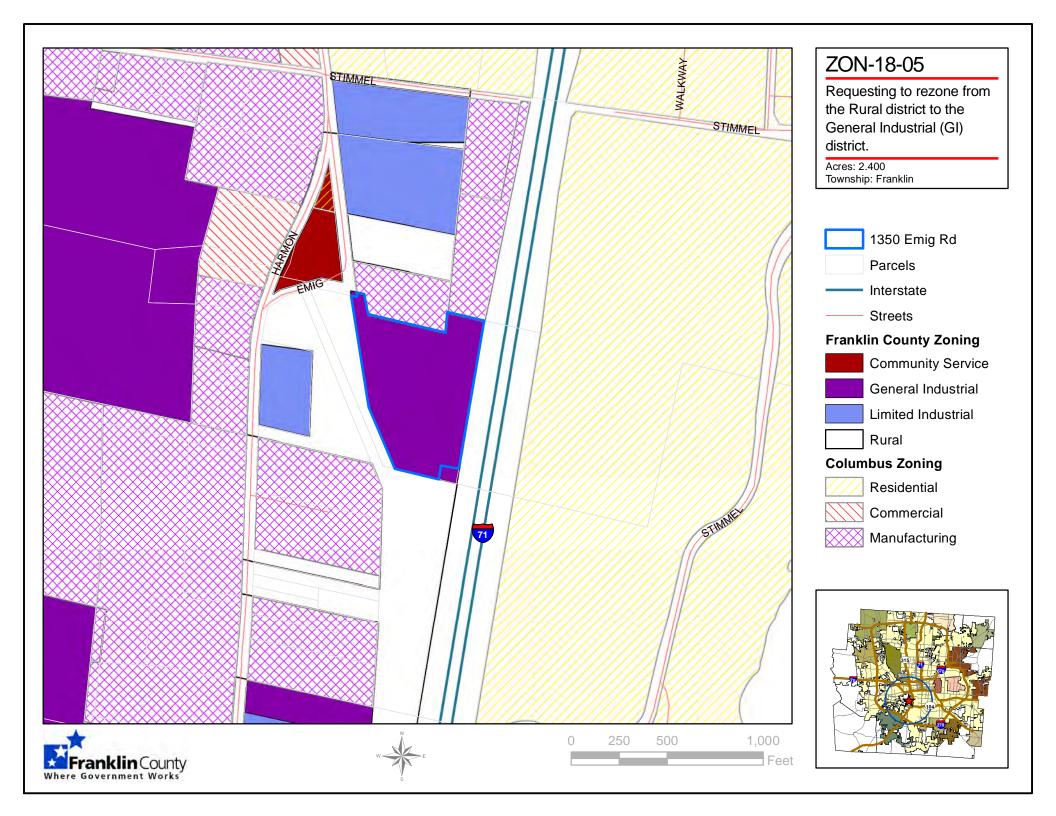












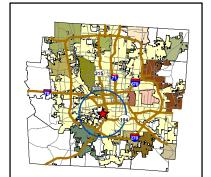


# **ZON-18-05**

Requesting to rezone from the Rural district to the General Industrial (GI) district.

Acres: 2.400 Township: Franklin







Franklin County
Where Government Works





CAPITAL TOWING & RECOVERY INC

FRANKLIN COUNTY OHIO SITE COMPLIANCE PLAN FOR

SITE PLAN







#### VICINITY MAP NOT TO SCALE

#### **OWNERS**

1350 EMIG ROAD LLC 1350 EMIG ROAD COLUMBUS, OH 43223 CONTACT: BRANDON HARRIS PHONE: 514-272-1800

#### **ENGINEER**

THE MANNIK & SMITH GROUP, INC.

1160 DUBLIN ROAD, SUITE 100

COLUMBUS, GHO 43214

CONTACT: STEVEN E. FOX
PHONE: 614-452-4628

EMAIL: SFOXWIANNIKSMITHGROUP.COM

1350 & 1370 EMIG ROAD 140-000386-00

9.44± AC

GI - GENERAL INDUSTRIAL

OFFICE & STORAGE

BUILDING HEIGHT: 100' MAXIMUM

#### FLOOD ZONE

THE PROPERTY LIES WITHIN ZONE A & ZONE X, DETERMINED BY THE FEMA FLOOD INSURANCE RATE MAP #39049C0317K, PANEL 317 OF 465, EFFECTIVE ON 06/17/2008.

#### **RECEIVED**

#### JUL 17 2018

Franklin County Planning Department Franklin County, OH

## ZON-18-05

ł	SITE DATA	
ŀ	TOTAL SITE AREA:	9.44 AC
	DISTURBED AREA:	0.64 AC
	PRE DEVELOPED IMPERVIOUS AREA:	0.02 AC
	POST DEVELOPED IMPERVIOUS AREA:	0.36 AC.