

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, December 12, 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 November 14, 2018 meeting
5. Old Business:

i. 699-V – Brad Fisher

Owner/Applicant:	Brookside Golf & Country Club Co.
Agent:	Jackson B. Reynolds, III
Township:	Perry Township
Site:	2770 Dublin Granville Rd. (PID #213-000345 and 213-000438)
Acreage:	11.418-acres
Request:	Requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of one (1) lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway.

ii. JEFF-18-05 – Brad Fisher – *Requesting to table to February 13, 2019*

Owner:	Mary Stratton & Christy Sechler
Applicant:	Geoffre Companies
Township:	Jefferson Township
Site:	6020 Havens Corners Rd. (PID #170-000086)
Acreage:	17.017-acres
Utilities:	Private water and wastewater
Request:	Requesting to rezone from the Restricted Suburban Residential District (RSR) to the Planned Suburban Residential District (PSR).

6. Adjournment of meeting to January 9, 2019



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MINUTES OF THE FRANKLIN COUNTY PLANNING COMMISSION

Wednesday, November 14, 2018

The Franklin County Planning Commission convened in Meeting Room A, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Wednesday, November 14, 2018.

Present were:

Nancy White, Chairperson
Tim Guyton
Mark Dravillas
Roxyanne Burrus
Dan Blechschmidt
Chet Chaney
Ashley Hoyer
Tamara Howard
Annie Ryznar

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

Chairperson White opened the hearing.

The first order of business being approval of the meeting minutes from the October 10, 2018, meeting. Mr. Cheney made a motion to approve the minutes from the October 10, 2018, meeting. It was seconded by Mr. Blechschmidt. The minutes were approved by a seven-to-zero vote with two abstentions. Mr. Matt Brown swore in all witnesses.

NEW BUSINESS:

The next order of business being Case No. 698-V. Mr. Brad Fisher presented the case to the Franklin County Planning Commission. The owner/applicant is James and Charlene Davison. The agent is the Plank Law Firm. The site is located at 4180 Saturn Road. The site is 4.400 acres in size. The request is a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow for the creation of one lot that would result in a side lot line being more than five degrees from perpendicular to the roadway and exceeds the maximum permitted depth to width ratio. Mr. Cheney made a motion to approve Case No. 698-V. It was seconded by Mr. Guyton. The motion was approved by a nine-to-zero vote.

Mr. Chaney made a motion to adopt the Findings of Fact regarding Case No. 698-V; that the case, as presented, satisfied the criteria for granting a Variance under Section 701.07 of the Franklin County Subdivision Regulations. It was seconded by Mr. Blechschmidt. The motion was approved by a nine-to-zero vote.

The next order of business being Case No. 699-V. The owner/applicant is Brookside Golf and Country Club Co. The agent is Jackson Reynolds. The site is located at 2770 Dublin Granville Road. The site is 11.418 acres in size. The request is a variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of one lot that results in a side lot line that is more than five degrees from perpendicular to the roadway. A request was made by the applicant to table Case No. 699-V. Mr. Blechschmidt made a motion to table Case No. 699-V to the December 12, 2018, meeting. It was seconded by Ms. Burrus. The motion was approved by an eight-to-zero vote with one abstention.

The next order of business being Case No. JEFF-18-05. The owner is Marry Stratton and Christy Sechler. The applicant is Geoffre Companies. The site is located at 6020 Havens Corners Road. The site is 17.017 acres in size. The request is to rezone from the Restricted Suburban Residential District to the Planned Suburban Residential District. A request was made by the applicant to table Case No. JEFF-18-05 to the December 12, 2018, meeting. Mr. Guyton made a motion to table Case No. JEFF-18-05. It was seconded by Ms. Burrus. The motion was approved by a nine-to-zero vote.

There being no further business to come before the Franklin County Planning Commission, Mr. Blechschmidt made a motion to adjourn the hearing. It was seconded by Mr. Dravillas. The motion was approved by unanimous vote.

Signature

Minutes of the November 14, 2018, Franklin County Planning Commission hearing were approved this 12th day of December, 2018.



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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Planning Commission
December 12, 2018

Case: 699-V

Prepared by: Brad Fisher

Owner/Applicant:	Brookside Golf & Country Club
Agent:	Jackson B. Reynolds, III
Township:	Perry Township
Site:	2770 Dublin Granville Road (PID#'s 213-000345 and 213-000438)
Acreage:	11.418-acres
Request:	Requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of one lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway.

Summary:

The applicant is requesting a Variance to allow the creation of one lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway. The application does not satisfy the criteria necessary to grant a variance. Staff recommends **denial**.

Request:

The subject site is located on the north side of Dublin Granville Road, between Brookdown Drive and McVey Boulevard in Perry Township and is part of the Brookside Golf & Country Club. The applicant is proposing to split 8.92-acres from a 62.343-acre parcel (PID #213-000438), adjust 2.14-acres from a 164.017-acre parcel (PID #213-000345), and combine the subject site to create an 11.418-acre lot. This lot split request is the first step toward consolidating properties in order to develop the subject site.

Surrounding Zoning and Land Use:

Properties to the north are zoned Limited Suburban Residential (R-2) in Perry Township and Residential in the City of Columbus. Properties to the east are zoned Limited Suburban Residential (R-2) and Restricted Suburban Residential (R-1) in Perry Township. Properties to the west are zoned Restricted Suburban Residential (R-1) in Perry Township and Residential in the City of Columbus. The majority of these properties have developed with medium density single-family homes. Properties to the south are zoned Manufacturing in the City of Columbus, and used by the Ohio Army National Guard.

Comprehensive Plan:

The Northwest Plan, adopted by the City of Columbus in 2016, contains a Future Land Use Map and Guiding Principles that include areas not included in the City of Columbus in the event they are annexed.

The Future Land Use Map recommends the subject area to develop as Private Open Space, which allows for golf courses, private sports fields and open space within new developments. Proposals to redevelop existing residential or private park/recreation uses may be supported if the use and design are compatible with surrounding uses.

The Guiding Principles indicate that a broad range of adaptive reuses may be appropriate for existing private open space uses and sites, but is largely dependent on the specific location and associated impacts on the surrounding neighborhood. Within areas designated as Private Open Space, the following applies:

1. Existing private open space sites may be subject to redevelopment. In situations where a proposed development is inconsistent with the recommended land use, but mitigating circumstances merit the consideration of the proposal, the following are to be considered:
 - a. Pending support of the Recreation & Parks Department, opportunities for parkland should be explored.
 - b. A broad range of adaptive reuses may be appropriate for existing private open space uses and sites, but is largely dependent on the specific location and associated impacts on the surrounding neighborhood.
 - c. New uses could include office, education, housing, recreation, and/or open space, depending on scale and intensity relative to surrounding uses.
 - d. Retail and entertainment uses may be appropriate on commercial corridors, but not in residential neighborhoods.
 - e. Proposals should follow the Design Guidelines for the proposed use.

The applicant provided no information indicating that the City of Columbus would be in support of annexing or developing the subject site. Staff and the City of Columbus Department of Building and Zoning Services are unable to determine if the development that would be proposed if the variance is granted would meet the recommendations of the Plan.

Technical Review Agencies

Ohio Department of Transportation (ODOT)

ODOT is concerned about additional access points along Dublin Granville Road and requests that if the lot split is approved the following note be placed on the Legal Description: "Any lot splits from the Brookside Country Club properties abutting Dublin Granville Road would not be permitted new access points to Dublin Granville Road."

City of Columbus – Department of Building and Zoning Services

COC Building and Zoning Services stated that they have not had contact with the applicant regarding any potential annexation or rezoning of the subject site.

Franklin County Engineer, Perry Township and Franklin Soil & Water Conservation District

Indicated no concerns with the proposed lot splits.

Franklin County Economic Development and Planning

There is an existing dam located at the east end of the lake. The new lot lines will split the maintenance responsibility of the lake, which would require the Ohio Department of Natural Resources (ODNR) to be notified.

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.*

The final configuration of the proposal would only allow for access from Greenvale Drive, through lot 13 of the Brookside Estates Subdivision. Any future development of the subject site could be injurious to the properties in Brookside Estates as it was platted as a single-family subdivision in 1954.

2. *Circumstances of the request are unique to the property and not generally applicable to others.*

The applicant stated that the circumstance of the request is unique to the property because the private drive providing access to the Golf Course and the pond are existing conditions, making it difficult to meet the required Lot Geometry requirements. The intention of reconfiguring these lots is to annex the 11.418-acres into the City of Columbus, which cannot be done prior to completing the lot splits.

Staff notes that the new lot lines are primarily located between an existing pond and hole on the golf course, and is not able to meet Lot Geometry standards. However, there's no clear rationale for adjusting the property lines as proposed to facilitate the applicant's future development.

Staff further notes that if only developable land were included in the area to be split, and the pond were excluded from the proposal, it's possible that a split may be approved.

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 if the variance is not approved the parcels involved cannot be combined, annexed into the City of Columbus and be able to secure centralized utilities.

Staff notes that the first step in reconfiguring these lots in order to annex into the City of Columbus and gain access to centralized utilities is receive approval of the Lot Geometry variance, however, not enough information has been provided to determine whether the annexation would be supported and how access would be addressed.

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 one lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway.

Findings of Fact

For your convenience, the following are proposed findings of fact if the variance is granted:

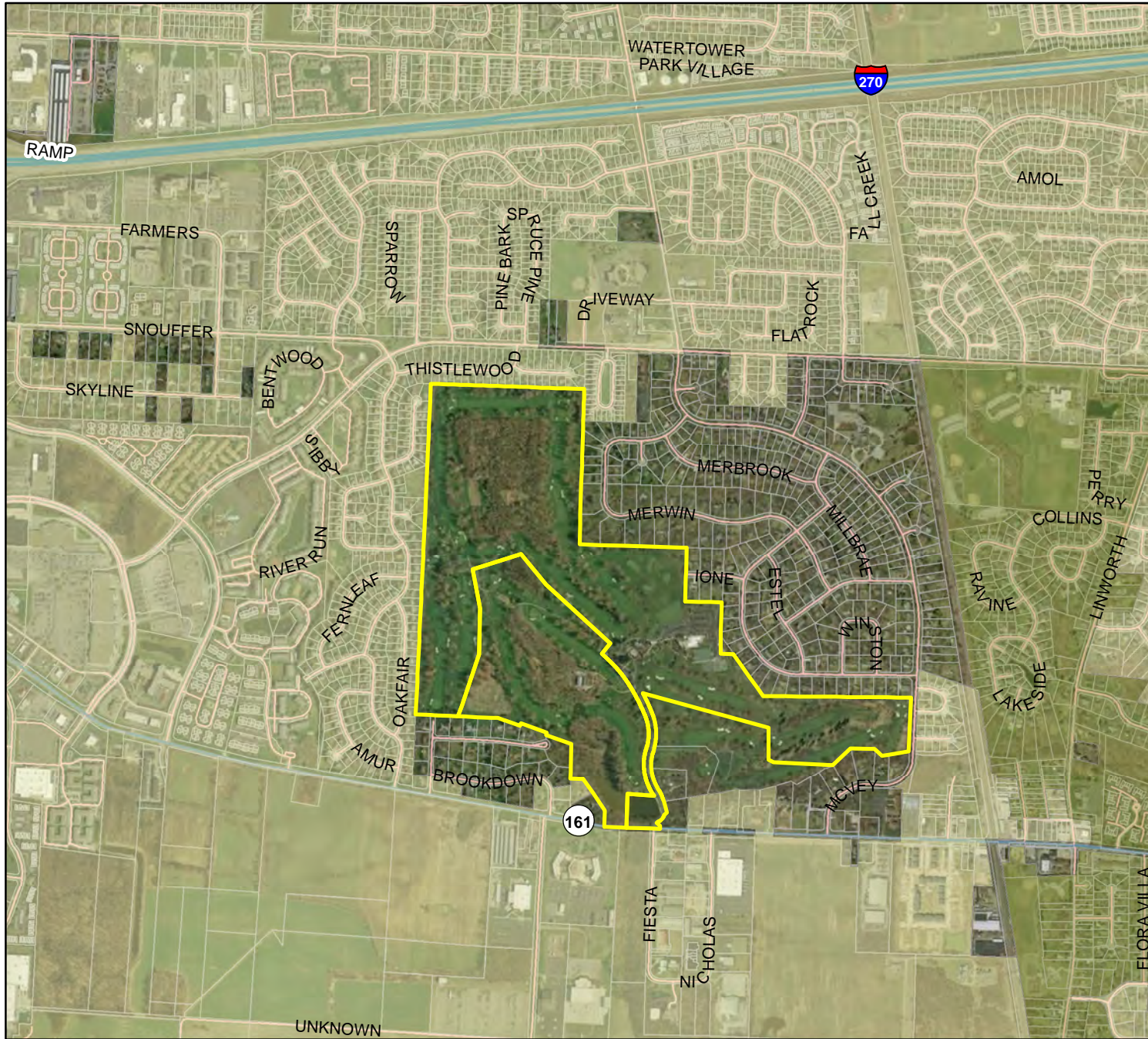
_____ moves that the basis for approving the applicant's request for the variance from Section 501.05 of the Franklin County Subdivision Regulations as outlined in the request above for the applicant identified in Case No. 699-V results from the applicant satisfying the standards for granting a variance 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:

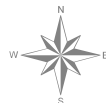
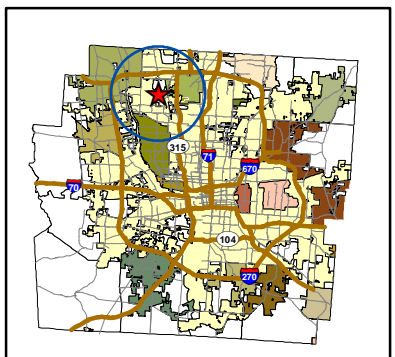
- A. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant, as distinguished from a mere inconvenience, if the provisions 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.



699-V

Requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of one lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway.

Acres: 11.418
Township: Perry



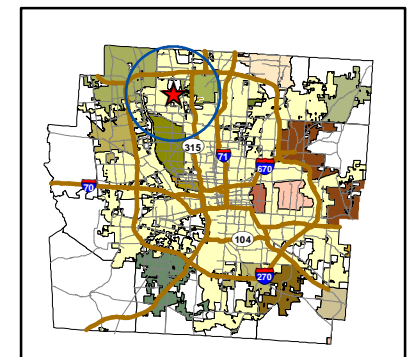


699-V

Requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow the creation of one lot that results in a side lot line more than five (5) degrees from perpendicular to the roadway.

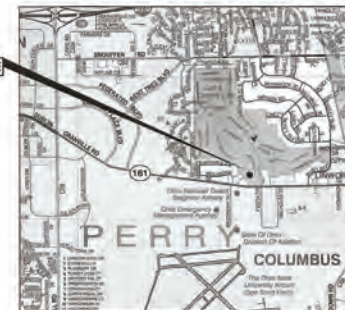
Acres: 11.418
Township: Perry

- Columbus
- Parcels
- Streets

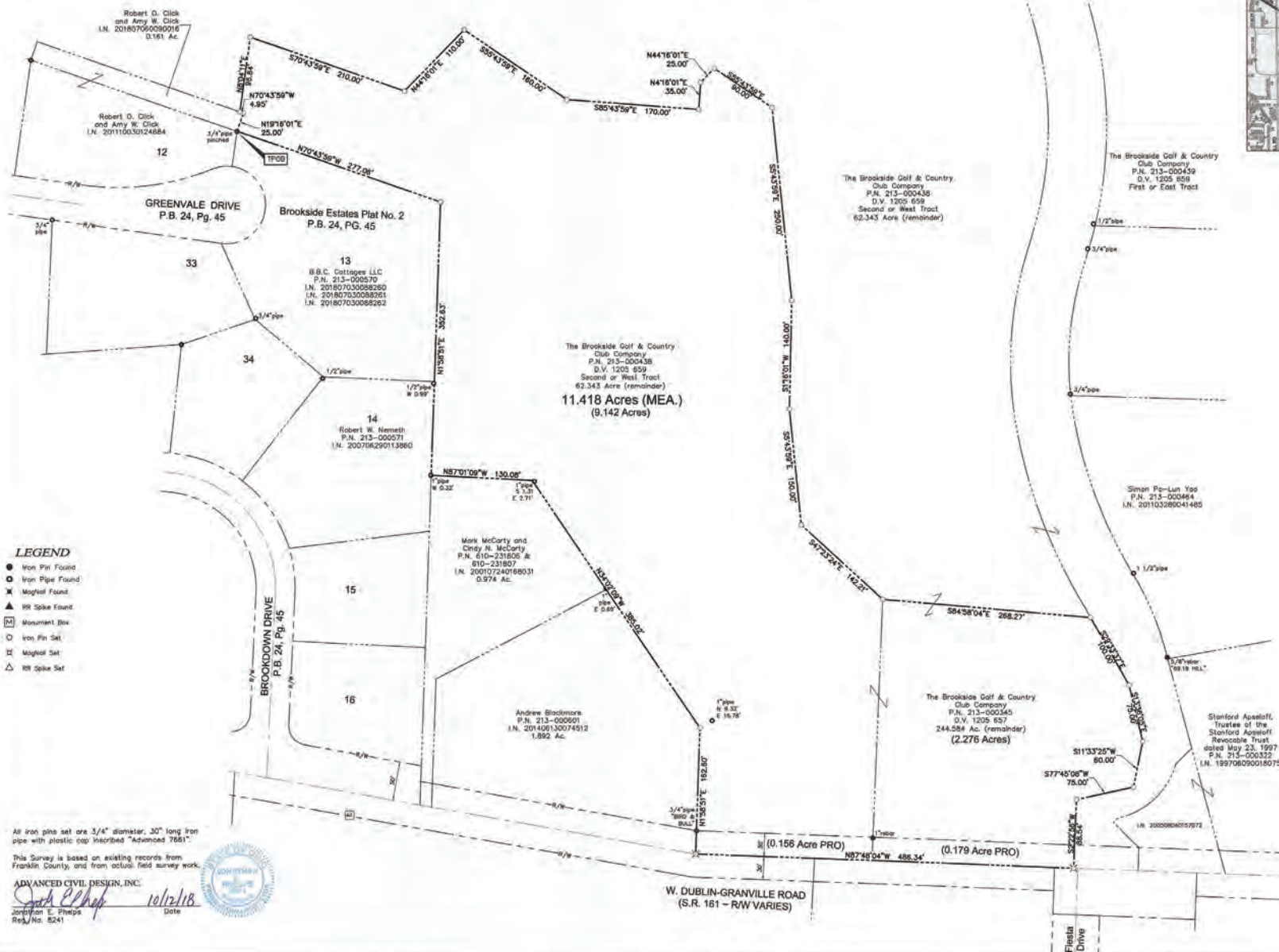


BOUNDARY SURVEY 11.418 ACRES

Quarter Township 4, Township 2, Range 19
United States Military District
Perry Township, Franklin County, Ohio



VICINITY MAP
SCALE: NTS



Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2007). Sd bearings were derived from GPS observation and determine a portion of the centerline of West Dublin Granville Road between two monuments having a bearing of N87°48'04"W.



Boundary Survey

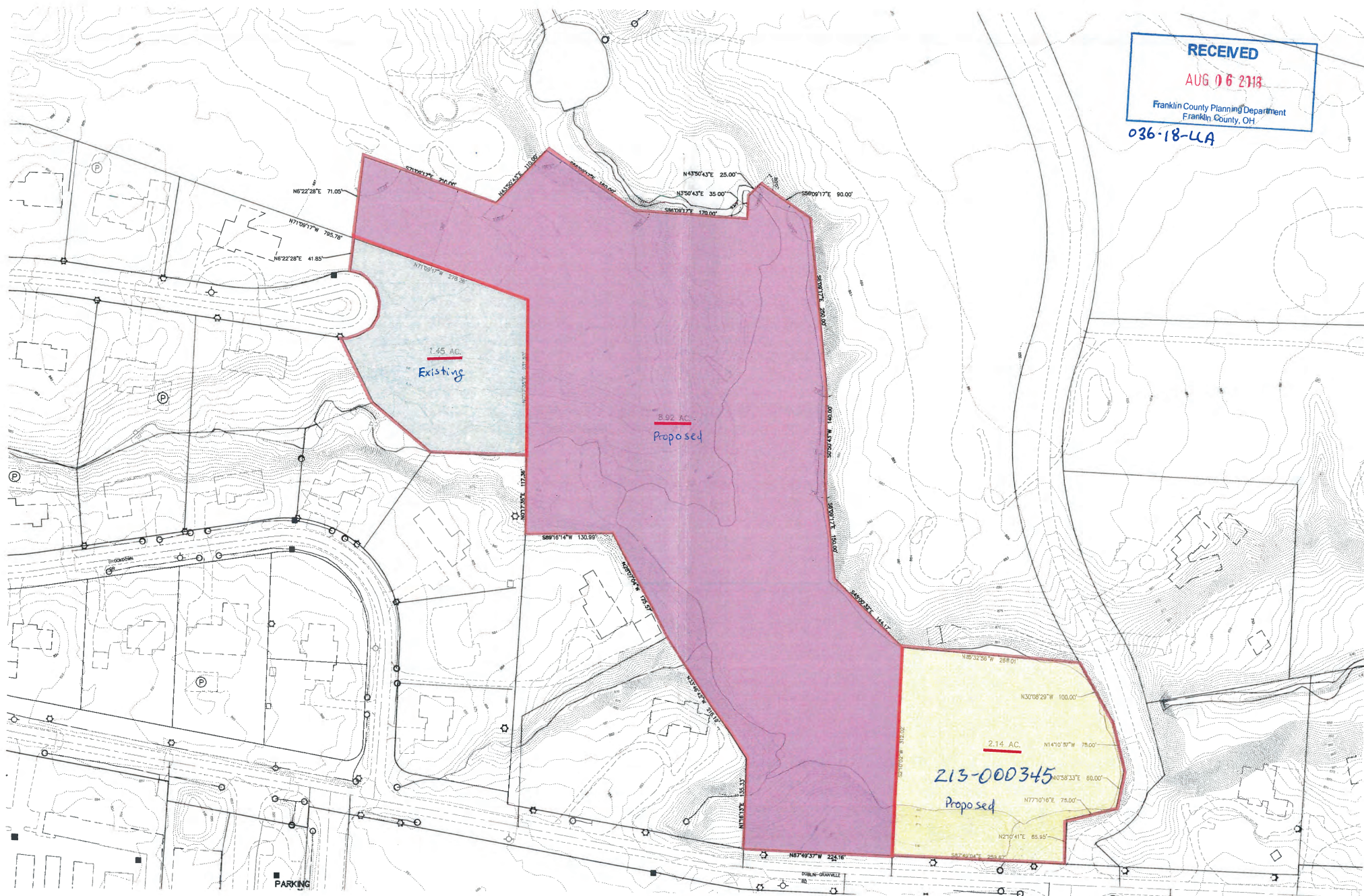


ADVANCED
CIVIL DESIGN
INCORPORATED

PLAN PREPARED BY: JEP
CHECKED BY: JEP
402 Swisher Road
Columbus, Ohio 43207
ph: 614-438-7750
fax: 614-438-7755

SCALE: 1" = 60'
DATE: October 12, 2018
SHEET: 1 / 1
JOB NO.: 18-0001-658

036-18-LA



Variance Responses – 701.07 A - F
Brookside Country Club

- 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

The hardships in this case comes from the fact that the eastern leg of the lot split areas are defined by an existing lake and an improved private drive that serves as one of the main access points from SR 161 to the Clubhouse and that roadway cannot be altered without significant costs and hardships to the Club. The lot split areas are also designed to combine the existing pond in one parcel rather than divide the pond between parcels as is currently the case.

- 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

The fact that private drive and pond are existing conditions create the rationale for the proposed split line along the east side of the new parcels. The new parcels will be combined with each other parcels to create an 11± acre area that is to be annexed to the City of Columbus. The area needs to be split off as a precondition to filing an annexation petition with the County Commissioners.

- C. The purpose of the variance is not based exclusively upon a desire to obtain additional income from the property; and

The variance is requested to create new lots that the Country Club would like to annex to the City of Columbus to secure centralized utilities that are not currently available from the Township.

- 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

No, the granting of the variances will not be detrimental to the public health, safety or general welfare nor injurious to other property or improvements in the neighborhood in which the property is located.

- E. The special circumstances or conditions are created by the provisions or requirements of these requirements of these regulations and have not resulted from any act of the applicant or applicant's predecessor in interest; and

No, the special circumstances have not be created by the applicants action rather it was a function of the location of the private drive and the pond which are part of two much larger parcels.

- F. The variance requested is the minimum adjustment necessary for the reasonable use of the land.

Yes, the variance requested is the minimum adjustment necessary for the reasonable use of the land.

brookside-161-var-responses (nct)
10/16/18 S:Docs



David W. Fisher, Esq.
davidfisher@kephartfisher.com

207 North Fourth Street Columbus, Ohio 43215
p: 614.469.1882 f: 614.469.1887

December 4, 2018

VIA EMAIL

Franklin County Planning Commission
150 South Front Street
Columbus, Ohio 43215

Re: Jefferson Township Rezoning Case - 6020 Havens Corners Road (JEFF-18-05)

Commission Members:

On behalf of Gioffre Companies, the Applicant in the above referenced Rezoning Case, we respectfully request that this Case be tabled at the December 12, 2018 meeting of the Franklin County Zoning Commission and set to be heard at the February 13, 2019 meeting of the Commission. I will be in attendance at the December 12, 2018 meeting of the Commission to address questions.

Should you have questions, please contact the undersigned.

Very truly yours,

David W. Fisher

DWF