



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

Economic Development & Planning Department
James Schimmer, Director

Technical Review Committee Agenda

Franklin County Engineer's Office
970 Dublin Road
Columbus, OH 43215

January 26, 2016
1:30 p.m.

1. New Business

A. Planning Commission

i. ZON-15-04 – Matt Brown

Applicant:	George Brobst Jr.
Owner:	The Old Blue Rooster, LLC
Township:	Madison Township
Site:	5952 London Lancaster Road (PID #181-001364 & 181-001365)
Acreage:	13.45 acres
Zoning:	Rural
Utilities:	Private water and wastewater
Request:	Requesting to rezone two parcels from the Rural District to the Select Commercial Planned (SCPD) District.

ii. 673-A – Matt Brown

Applicant/Owner:	Michael and Jo Ann Carpenter
Agent:	David Hodge
Township:	Jefferson
Site:	6001 Clark State Road (PID #170-000197)
Acreage:	2.88 Acres
Utilities:	Private water and wastewater
Request:	Appealing staff's application of the Franklin County Subdivision Regulations to a proposed adjustment of lot lines between two adjoining parcels of land.

iii. 674-V – Matt Brown

Applicant/Owner:	Michael and Jo Ann Carpenter
Agent:	David Hodge
Township:	Jefferson
Site:	6001 Clark State Road (PID #170-000197)
Acreage:	2.88 Acres
Utilities:	Private water and wastewater
Request:	Requesting a Variance from Section 501.05 of the Franklin County Subdivision Regulations to allow a lot line adjustment that will result in a parcel that exceeds the maximum depth to width ratio.

B. Board of Zoning Appeals – No new cases

2. Adjournment of Meeting to February 23, 2016.



Franklin County
Application for Rezoning/Text Amendment

Application Number: ZON-15-04	Date Filed: 10/30/15	Received By: JPL	Total Fees: \$2,300.00	Receipt Number: 15-02804
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Subject Property Information

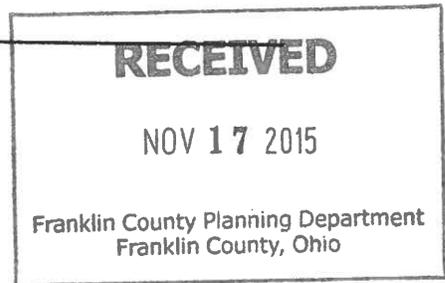
- 1. Street Address: 5952 London Lancaster Road, Groveport, OH 43125
- 2. Parcel ID Number(s): 181 - 001364 and 001365
- 3. Township(s): Madison

Description of Subject Property

- 4. Acres to be Rezoned: 13.445
- 5. Current Land Use: Commerical Event Center
- 6. Surrounding Land Use:
North Residential
South Agricultural
East Vacant
West Agricultural
- 7. Water Supply Source: Public (Central) Private (Onsite)
- 8. Sanitary Sewer Source: Public (Central) Private (Onsite)

Rezoning Request

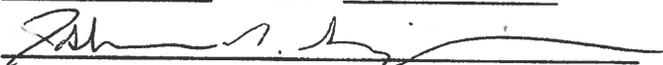
- 9. Current Zoning: Rural
- Proposed Zoning: Select Commercial Planned District
- 10. Proposed Land Use: Miscellaneous Personal Services - Event Center
- 11. Purpose for Request: The Applicant has been denied a certificate of zoning compliance because the current use is not permitted in "rural" zoning. The Applicant requests that the property be rezoned to a "select commercial planned district" so that the current use is a permitted use.



Applicant/Owner/Agent Information

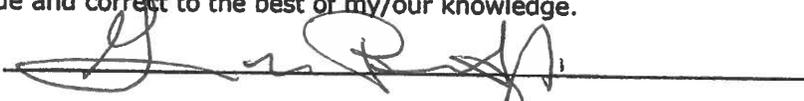
12. Applicant Information: George M. Brobst, Jr.
Address: 2120 Hardy Parkway, Grove City, OH 43123
Phone: 614-871-7300 Fax: n/a
Interest in Property: Member of The Old Blue Rooster, LLC
Signature: 

13. Property Owner: The Old Blue Rooster, LLC
Address: 5952 London Lancaster Road, Groveport, OH 43125
Phone: 740-438-0717 Fax: n/a
Signature: 

14. Agent Information: Joshua M. Simpkins, Attorney
Address: 250 E. Broad Street, Suite 1725, Columbus, OH 43215
Phone: 614-230-0670 Fax: 614-221-5777
Signature: 

Applicant/Owner/Agent Information

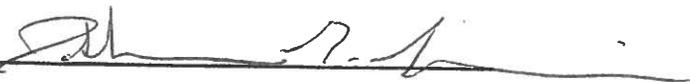
I/we (applicant) George M. Brobst, Jr. swear that I/we am/are the owners/lessees/options of land requested for rezoning and that the statements, information and exhibits attached are true and correct to the best of my/our knowledge.

Applicant Signature: 
(required)

Date: 10-28-15

Property Owner Signature: 
(required)

Subscribed and sworn to me in my presence and before me on this 28th day of October 2015.

Notary Public Signature: 



JOSHUA MICHAEL SIMPKINS
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

RECEIVED

JAN 19 2016

Franklin County Planning Department
Franklin County, OH

ZON-15-04

APPLICATION FOR REZONING

5952 London Lancaster Road, Groveport, Ohio – Madison Township

Applicant and Background

The Old Blue Rooster, LLC, an Ohio limited liability company (the "Applicant") owns the real property located at 5952 London Lancaster Road in Groveport, Ohio (the "Property"). The Property is located in Madison Township and consists of two (2) tax parcels, Franklin County Auditor tax parcel numbers 181-001364 (7.845 acres) and 181-001365 (5.6 acres). The Property is located on the north side of London Lancaster Road, east of Oregon Road. The legal description of the Property is attached hereto.

Use and Zoning

The Property includes a shelter house that is operated as an event center for the purpose of hosting weddings and various other social events such as graduation parties. Events at the Property are generally held during the hours of 2:00 p.m. until 12:00 a.m. on Fridays, Saturdays, and Sundays during the year from mid-April through October and host a maximum of two hundred (200) guests at each event.

The Property is located in an area that is currently classified for zoning purposes as rural under the Franklin County Zoning Resolution. The Applicant now seeks to have the Property rezoned to a Select Commercial Planned District to allow the operation of the Property as an event center, as described above. Activities and events held at the Property fall within OMB SIC Group Type of Use Code ("Code") 7299-miscellaneous personal services. In accordance with the Franklin County Zoning Resolution, uses within Code 7299 are permitted in Select Commercial Planned Districts as they fall within the uses permitted in Community Commercial, Community Service, and Limited Industrial Districts.

Upon rezoning the Property to Select Commercial Planned District, the Applicant will ensure compliance with all aspects of the Franklin County Zoning Resolution as it applies to the Property as a Select Commercial Planned District.

Adjacent Parcels and Uses

1. 5001 Oregon Road – This property is known as Franklin County Auditor's tax parcel #181-001355-00. The property is owned by Kevin and Christine Hall and is currently used as a single family residence.

2. 5049 Oregon Road – This property is known as Franklin County Auditor's tax parcel #181-001356-00. The property is owned by George M. Brobst, Jr. and is currently used as a single family residence. Mr. Brobst and his wife, Natalee, are the owners of the Applicant.

3. 5964 London Lancaster Road -This property is known as Franklin County Auditor's tax parcel #181-001366-00. The property is owned by George M. Brobst, Jr. and is currently vacant land.

Mr. Brobst and his wife, Natalee, are the owners of the Applicant.

4. 5997 Lancaster Road – This property is known as Pickaway County Auditor's tax parcel #F1600010021401. The property is owned by Linda Wineland, Mrs. Brobst's mother, and is currently used as a single family residence.

5. 0 Lancaster Road - This property is known as Pickaway County Auditor's tax parcel #F160010021600. The property is owned by Carolyn D. Miller and is vacant agricultural land.

Development/Site Plan

The development/site plan prepared by a surveyor is submitted for consideration. The surveyor's contact information is:

Louis Haines
354 Kessler Street
Groveport, Ohio 43125

Also enclosed is a copy of the site and soil evaluation log and site plan from a soil scientist who has been engaged to install a soil based treatment system at the Property. See section 9, below. The scientist's contact information is:

Mark E. Flowers, P.E.
Flowers Septic System Design, Inc.
263 Park Trails Ct.
Newark, Ohio 43055
740.587.7363

In addition to such documents, please note as follows:

1. Permitted Uses.

In accordance with the Franklin County Zoning Resolution, the Applicant requests that uses consistent with Code 7299 be permitted as part of the Property's rezoning as a Select Commercial Planned Districts as they fall within the uses permitted in Community Commercial, Community Service, and Limited Industrial Districts.

2. Site Map.

The survey/site map prepared by surveyor, Louis Hanes, is hereby submitted for review consideration.

3. Vegetation.

No significant strands of vegetation are located upon the Property.

4. Soils.

Please see the site plan and soil evaluation log attached hereto from Flowers Septic System Design, Inc.

5. Traffic

Since the Property is located in a remote area and events are only held on weekends, there is virtually no effect on traffic. The Ohio Department of Transportation and the Madison Township Trustees have indicated that no traffic study is required as part of this request.

6. Access

The Property has an existing driveway and parking lot that is accessible from London-Lancaster Road. Such access is believed to meet the standards set forth in Section 420.034(6) of the Franklin County Zoning Resolution.

7. Parking

The Property features a dedicated gravel lot for parking. Such parking lot is located on the east side of the Property and is not close in proximity to any residences in the area. Accordingly, lighting in the parking lot does not shine into any homes. Given the location of the Property and the parking lot's proximity to residences, the Applicant respectfully requests that any and all paving, screening, landscaping, and setback requirements required by Sections 420.034(7) or 531 of the Franklin County Zoning Resolution be waived with respect to the parking lot on the Property.

8. Storm Water Drainage

No changes to the storm water drainage at the Property will be made. Drainage at the Property has never caused damage to any area. Nevertheless, the Franklin County Engineer's Office and the Ohio Environmental Protection Agency ("EPA") have requested that the Applicant seek to obtain permit coverage for past construction activities at the Property. In order to satisfy this request, the Applicant engaged Stone Environmental Engineering & Science ("Stone") to prepare a Notice of Intent for general permit coverage under Ohio EPA Permit #OC000004. Such Notice is in the process of being prepared and is expected to be submitted to the Franklin County Engineer and the Ohio EPA on or before January 25, 2016.

9. Water Supply and Sewage Disposal

Water at the Property is supplied by a pond; however, such water is not used as potable water. The Applicant provides potable water through a dispenser and bottled water. Sewage disposal is facilitated through two (2) portable toilets located on the Property and a 1,500 gallon holding tank. The Ohio EPA and the Franklin County Department of Public Health have evaluated the holding tank and sewage disposal at the Property. Upon the recommendation of the Ohio EPA, the Applicant is working with the Franklin County Department of Public Health and installing a soil based treatment system at the Property. The Ohio EPA has indicated that the sewage disposal at the Property will be solely

within the jurisdiction of the Franklin County Department of Public Health since the proposed design flow (less than 1000 gallons per day) does not warrant jurisdiction by the Ohio EPA. The Franklin County Department of Public Health has approved the foregoing plan. Please see the attached letter from the Franklin County Department of Public Health attached hereto.

10. Architectural Design

No changes are proposed to the shelter house or the barn located upon the Property. The exteriors are compatible with the surrounding area and otherwise generally comply with the Select Commercial Planned District requirements; however, the barn located on the Property is thirty-five (35) feet in height. The Applicant hereby respectfully requests that the building height requirement be waived with respect to the barn on the Property.

11. Outside Storage

There is an existing barn located on the Property; however, no outside storage shall occur on the Property.

12. Utilities and Facilities

All existing utilities and facilities at the Property are located underground.

13. Pollution

- a. Smoke: No smoke shall be emitted from any structure on the Property.
- b. Odor: No odorous gases or other odorous matter shall be produced upon the Property.
- c. Noise: The noise level shall be no greater than sixty (60) decibels at the boundary lines of the Property.

14. Graphics and Signage

Two (2) free standing, wooden signs (30" x 48") are located on the Property. Such signs conform to the signage standards set forth in Section 420.034(14(b)) of the Franklin County Zoning Resolution.

15. Lighting

Most lighting fixtures on the Property are cut-off type fixtures (down lighting) and are limited to the building and parking areas. There is one (1) lighting fixture next to the barn that is utilized to illuminate the American flag on the side of the barn. The lighting fixtures on the Property meet the standards for lighting set forth in Section 420.034(15) of the Franklin County Zoning Resolution.

16. Landscaping

The Applicant does not contemplate adding any additional fencing or landscaping to that already located on the Property. To the extent that a formal landscape plan prepared by a landscape architect is required as part of this submission, the Applicant requests that such requirement be waived as all landscaping is in existence on the Property.

Please refer to the photographs enclosed as part of this submission to see the existing fencing landscaping at the Property. Such landscaping and fencing meet the standards set forth in Section 420.034(16) of the Franklin County Zoning Resolution. To the extent that any screening may be required by such section, the Applicant hereby requests that such screening requirement be waived with respect to the Property.

Waiver Rationale

Through the course of this submission, the Applicant has requested waivers from various requirements imposed by the Franklin County Zoning Resolution. The Applicant has requested such waivers for the following reasons:

1. The members of the Applicant and relatives of such members own most of the parcels surrounding the Property.
2. All other real estate surrounding the Property is either vacant agricultural land or is owned by friends of the members who support this rezoning request.
3. The lighting and the activities on the Property do not interfere with or create a nuisance upon any of the surrounding Property.

Accordingly, the Applicant respectfully requests that such waiver requests be granted. Nevertheless, to the extent that compliance with any requirements is made conditional upon the requested rezoning, the Applicant will comply with such conditions.

Conclusion

Given that the activities at the Property are very positive for the area and the community, the Applicant respectfully requests that this Application for Rezoning be approved so that the Property may be utilized as an event center as described herein. Please note that the Applicant will supplement this application as soon as possible with any additional information requested.

RECEIVED

JAN 19 2016

Franklin County Planning Department
Franklin County, OH

ZON-15-04



BASIS OF BEARINGS:
THE CENTERLINE OF THE LONDON-LANCASTER ROAD
AS A 89°36'34" W FROM PRIOR DEED
RECORDS 403395

PREPARED FROM EXISTING DEED RECORDS
AND FIELD LOCATIONS THIS IS NOT A BOUNDARY
SURVEY. IT IS TO BE USED FOR PLANNING & ZONING
IT IS NOT TO BE USED TO CONSTRUCT FENCES

ASBUILT DRAWING
PLAT OF TWO TRACTS
IN THE SE 1/4 SEC-11, TWP-10, RGE-21,
MADISON TWP., FRANKLIN CO.,
STATE OF OHIO:
FOR
THE OLD BLUE ROOSTER LLC.

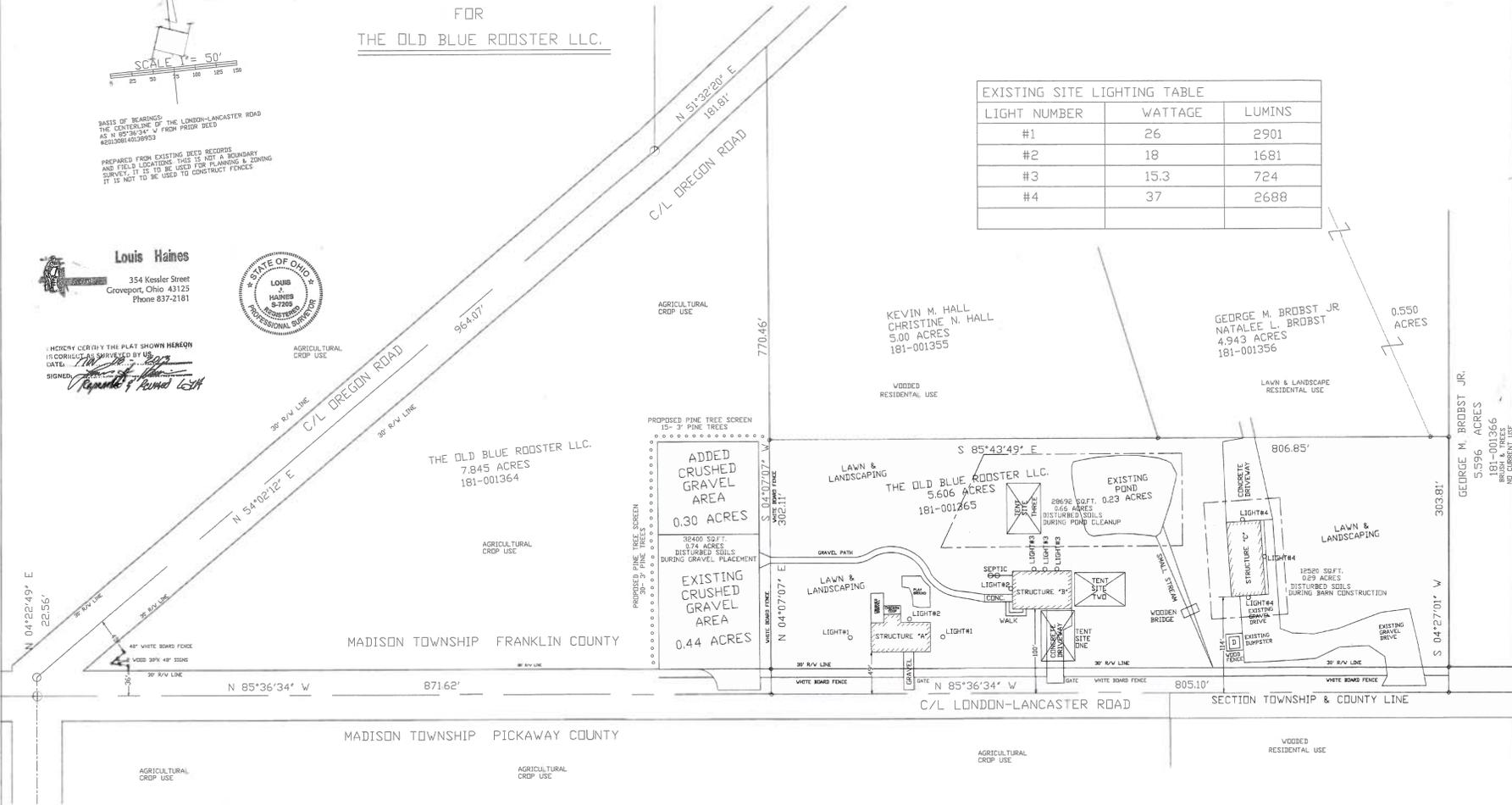
ID LETTER	SQUARE FEET	HEIGHT	CURRENT USE	MAXIMUM OCCUPANCY	CONSTRUCTION
A	2650 SQ.FT.	35 FEET	TRACTOR STORAGE		WOOD-POST+BEAM
B	3150 SQ.FT.	16 FEET	SHELTERHOUSE	160	WOOD + STONE
C	3573 SQ.FT.	21.5 FEET	RV. STORAGE		METAL-CLAD POLE BARN
WHITE TENT	2400 SQ.FT.	20 FEET	TEMPORARY	40	NYLON + METAL FRAME

EXISTING SITE LIGHTING TABLE		
LIGHT NUMBER	WATTAGE	LUMENS
#1	26	2901
#2	18	1681
#3	15.3	724
#4	37	2688

Louis Haines
354 Kessler Street
Groveport, Ohio 43125
Phone 837-2181



I HEREBY CERTIFY THE PLAT SHOWN HEREON
IS CORRECTLY SURVEYED BY ME.
DATE: 1/19/16
SIGNED: [Signature]



THE OLD BLUE ROOSTER LLC.
7.845 ACRES
181-001364

ADDED CRUSHED GRAVEL AREA
0.30 ACRES
32400 SQ.FT.
0.74 ACRES
DISTURBED SOILS
DURING GRAVEL PLACEMENT

EXISTING CRUSHED GRAVEL AREA
0.44 ACRES

THE OLD BLUE ROOSTER LLC.
5.606 ACRES
181-001265

GEORGE M. BROBST JR
NATALEE L. BROBST
4.943 ACRES
181-001356

GEORGE M. BROBST JR.
5.596 ACRES
181-001366
NOT CURRENT USE

KEVIN M. HALL
CHRISTINE N. HALL
5.00 ACRES
181-001355

MADISON TOWNSHIP FRANKLIN COUNTY

MADISON TOWNSHIP PICKAWAY COUNTY

SECTION TOWNSHIP & COUNTY LINE

EXHIBIT "A"

Parcel One

Situated in the State of Ohio, County of Franklin, Township of Madison, being a part of Section 11, Township 10, Range 21, Congress Lands East of the Scioto River, and being 7.845 acres out of a 79.191 acre tract, as conveyed to Jaime Smith E Incas & Anre N. Smith E Incas as recorded in D.V. 3017, Pg. 694, Franklin County Recorder's Office, said 7.845 acre tract being further described as follows:

Beginning at Franklin County Engineer's Monument No. 9956, being located at the intersection of the centerline of Oregon Rd. (60" wide, Co. Rd. 222) and London-Lancaster Rd. (60' wide Twp. Rd. 233), said Monument being in the Franklin-Pickaway County line;

Thence North 04 degrees 22' 49" East, 22.56 feet, along the centerline of said Oregon Rd., to Franklin County Engineer's Monument No. 5023;

Thence North 54 degrees 02' 12" East, 964.07 feet, continuing along the centerline of said Oregon Rd., to Franklin County Engineer's Monument No. 5022;

Thence North 51 degrees 32' 20" East, 181.81 feet, continuing along the centerline of said Oregon Rd., to a Mag Nail being the northwest corner of a 5.00 acre tract as conveyed to Kevin M. Hall as recorded in Instrument No. 20000815016495S;

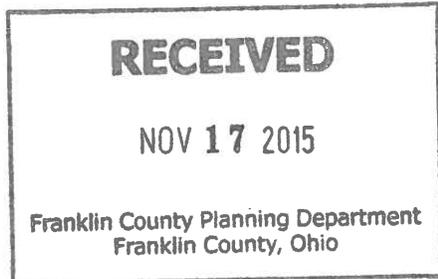
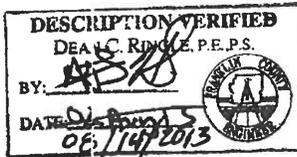
Thence South 04 degrees 07' 07" West, 770.46 feet, (passing a 1" iron pipe found at 39.00 feet and a 1" iron pipe found at 468.34 feet and passing an set iron at 740.46 (feet), along the west line of said 5.00 acre tract, crossing said 79.191 acre tract, along a new division line, to a Mag Nail set in the centerline of said London-Lancaster Rd;

Thence North 85 degrees 36' 34" West 871.62 feet, along the centerline of said London-Lancaster Rd., to the Place of Beginning, containing 341741 square feet, or 7.845 acres, more or less, subject to all legal easements and right of ways of record.

Iron pins set are 5/8" in diameter, 30" long, with yellow plastic cap stamped "J & J Surveying". The description is based on an actual field survey performed by J & J Surveying under the direction of John W. Wetherill in October 2005. Bearings are based on the centerline of said London-Lancaster Rd. as being North 85 degrees 36' 34" West, based on Franklin County Engineer's Monuments 9977 and 9956. Documents referred to are recorded in the Franklin County Recorder's Office.

Parcel Number: 181-001364-00
Prior Deed Reference: Instrument No. 201301280014457, Recorder's Office, Franklin County, Ohio

0-52-A
A1104
(181)
1364



2014-15-04

Parcel Two

Situated in the State of Ohio, County of Franklin, Township of Madison, being a part of Section 11, Township 10, Range 21, Congress Lands East of the Scioto River, and being 5.606 acres out of a 79.191 acre tract, as conveyed to Jaime Smith E Incas & Anne N. Smith E Incas as recorded in D. V. 3017, Pg. 694, Franklin County Recorder's Office, said 5.606 acre tract being further described as follows:

Beginning for reference at Franklin County Engineer's Monument No. 9956, being located at the intersection of the centerlines of Oregon Rd. (60' wide, Co. Rd. 222) and London-Lancaster Rd. (60' wide Twp. Rd. 233), said Monument being in the Franklin-Pickaway County line;

Thence South 85 degrees 36' 34" East 871.62 feet, along the centerline of said London-Lancaster Rd., to a Mag Nail set, said Mag Nail being the True Place of Beginning for the herein described 5.606 acre tract;

Thence North 04 degrees 07' 07" East 302.11 feet, (passing an iron pin set for reference at 30.00 feet), crossing said 79.191 acre tract, along a new division line, to a 1" iron pipe found, said iron pipe being a southwest corner of a 5.00 acre tract as conveyed to Kevin M. Hall as recorded in Instrument No. 200008150164955;

Thence South 85 degrees 43' 49" East 806.85 feet (passing a 3/4" iron pipe with cap stamped "PS 6579" at 461.38 feet and a found 3/4" iron pipe at 785.25 feet) along the south line of said 5.00 acre tract, being the south line of a 4.943 acre tract as conveyed to George M. Brobst Jr., as recorded in Instrument No. 200508250175284 and being the south line of a 5.443 acre tract as conveyed to David & Julia Mainella as recorded in Instrument No. 200312120393560, to a 1" iron pipe found, said iron pipe being the southeast corner of said 5.443 acre tract;

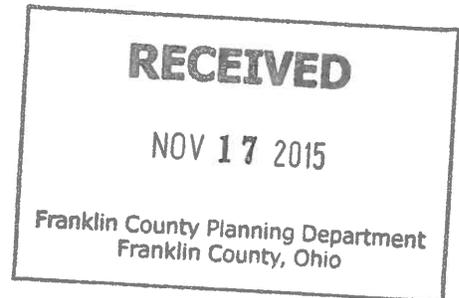
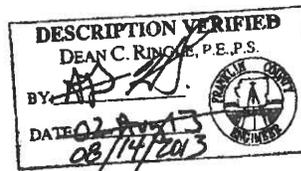
Thence South 04 degrees 27' 01" West 303.81 feet (passing an iron pin set for reference at 273.81 feet), crossing said 79.191 acre tract, along a new division line, to a Mag Nail set in the centerline of said London-Lancaster Rd.;

Thence North 85 degrees 36' 34" West 805.10 feet, along the centerline of said London-Lancaster Rd., to the Place of Beginning, containing 244178 square feet or 5.606 acres, more or less, subject to all legal easements and right of ways of record.

Iron pins set are 5/8" in diameter, 30" long, with yellow plastic cap stamped "J & J Surveying". This description is based on an actual field survey performed by J & J Surveying under the direction of John W. Wetherill in October 2005. Bearing are based on the centerline of said London-Lancaster Rd. as being North 85 degrees 36' 34" West, based on Franklin County Engineer's Monuments 9977 and 9956. Documents referred to are recorded in the Franklin County Recorder's Office.

Parcel Number: 181-001365-00
Prior Deed Reference: Instrument No. 200704030057062, Recorder's Office, Franklin County, Ohio

0-52-A
A lot
(181)
1365



2014-15-04



November 10, 2015, 2015

George Brobst
5952 London Lancaster Rd.
Groveport, OH 43125

Re: 5952 London Lancaster Rd.
Tax District 181 Parcel 001365

Dear Mr Brobst:

The Site and Soil Review for the small flow sewage treatment system to serve a proposed party shelter and a restroom in an out building at the above referenced location has been completed and is hereby approved. The system is designed for a daily flow of 214 gallons per day.

The design and soil review was completed by Mark Flowers. The Sewage Treatment System is to include a 1500 gal. septic tank and 2000 gal. time dose tank followed by 720 sq/ft. of chambered soil absorption area, surrounded by an interceptor drain.

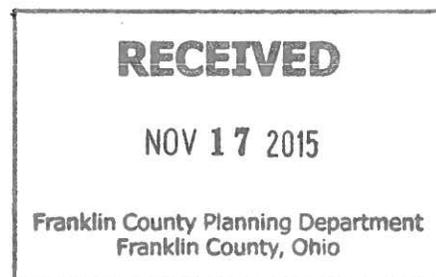
As with all soil absorption systems, absolutely no traffic related to construction work will be permitted in the area of the soil absorption system or the reserve area. These areas shall be staked and labeled to prevent damage or compaction of the soil. Before installation, a pre-construction meeting will be required at the site. The sewage system contractor and property owner should all be present for this meeting.

You may now make an application for the Building Permit, Sewage System Installation Permit, and the Private Water System Permit. Please be advised that the Sewage System Installer must be a certified installer .

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

Sincerely

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



201-15-04

Site and Soil Evaluation for Sewage Treatment and Dispersal

County: FRANKLIN
 Township Sec.: MADISON
 Property Address Location: 5952 London Lancaster
Groveport, OH 43125
 Applicant Name: George Brobst
 Address: 5952 London Lancaster
Groveport, OH
 Phone #: 614-207-4138
 Lot #: _____
 Test Hole #: _____
 Latitude/Longitude: _____
 Method: Pit Auger Probe

Land Use / Vegetation: Urban
 Landform: Moraine
 Position on Landform: Flat
 Percent Slope: 1%
 Shape of Slope: Linear

Date: 10-14-15
 Evaluator: Mark Flowers

Certification Stamp or Certification #: ODH Approved
 Signature: Mark Flowers
 Phone#: 740-454-3734

Soil Profile		Estimating Soil Saturation				Estimating Soil Permeability							Other Soil Features
Horizon	Depth (inches)	Matrix Color	Munsell Color (hue, value, chroma)		Class	Texture		Structure			Consistence		
			Redoximorphic Features			Approx. % Clay	Approx. % Fragments	Grade	Size	Type (shape)			
			Concentrations	Depletions									
Ap	0-12	10YR 4/3			sil	20	2	2	m	gr	fr		
B ₁₁	12-18	10YR 5/4	10YR 5/6	10YR 5/3	l	25	2	2	m	sbk	fr		
B ₂₂	18-24	10YR 5/4	10YR 5/6	10YR 6/2	cl	30	2	2	m	sbk	fi		
B ₂₃	24-30	10YR 4/3	10YR 5/4	10YR 5/2	cl	35	2	2	m	sbk	fi		
BC	30-44	10YR 4/3	10YR 5/4	10YR 5/2	cl	35	5	2	co	sbk	fi		
C	44-54	10YR 4/3	10YR 5/4	10YR 6/2	cl	30	5	0	massive		fi		

Limiting Conditions	Depth to (in.)	Descriptive Notes	Remarks / Risk Factors:
Perched Seasonal Water Table	18		
Apparent Water Table			
Highly Permeable Material			
Bedrock			
Restrictive Layer	44		

Note: The evaluation should include a complete site plan or site drawing.

ODH - Dec 2006 - Revised Sept 2007

RECEIVED

NOV 17 2015

Franklin County Planning Department
 Franklin County, Ohio

20M-15-04

Site and Soil Evaluation for Sewage Treatment and Dispersal

County: Franklin
 Township Sec.: Madison
 Property Address-Location: 5952 London Lancaster Rd
Groveport, OH
 Applicant Name: George Brobst
 Address: 5952 London Lancaster Rd
Groveport, OH
 Phone #: 614-207-4138
 Lot #: _____
 Test Hole #: 2
 Latitude/Longitude: _____
 Method: Pit Auger Probe

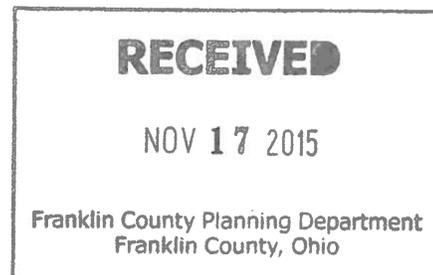
Land Use: Lawn Vegetation: _____
 Landform: Marine
 Position on Landform: Flank
 Percent Slope: 1%
 Shape of Slope: Linear
 Date: 10-14-15
 Evaluator: Mark Flowers
 Certification Stamp or Certification #: ODH Approved
 Signature: Mark E. Flowers
 Phone #: 740-587-7363

Soil Profile		Estimating Soil Saturation				Estimating Soil Permeability							
Horizon	Depth (inches)	Matrix Color	Munsell Color (hue, value, chroma)		Redoximorphic Features		Texture			Structure			Other Soil Features
			Concentrations	Depletions	Class	Approx. % Clay	Approx. % Fragments	Grade	Size	Type (shape)	Consistence		
			Ap	0-8	10YR 4/3			sil	20	2	2	m	
B _{th}	8-18	10YR 5/4	10YR 5/6	10YR 5/3	l	25	2	2	m	sbk	fr		
B _{tz}	18-24	10YR 5/4	10YR 5/6	10YR 5/2	cl	30	2	2	m	sbk	fi		
B _{ts}	24-40	10YR 4/3	10YR 5/4	10YR 4/2	cl	35	2	2	co	sbk	fi		
C	40-48	10YR 4/3	10YR 5/4	10YR 6/1	cl	30	5	0		massive	fi		

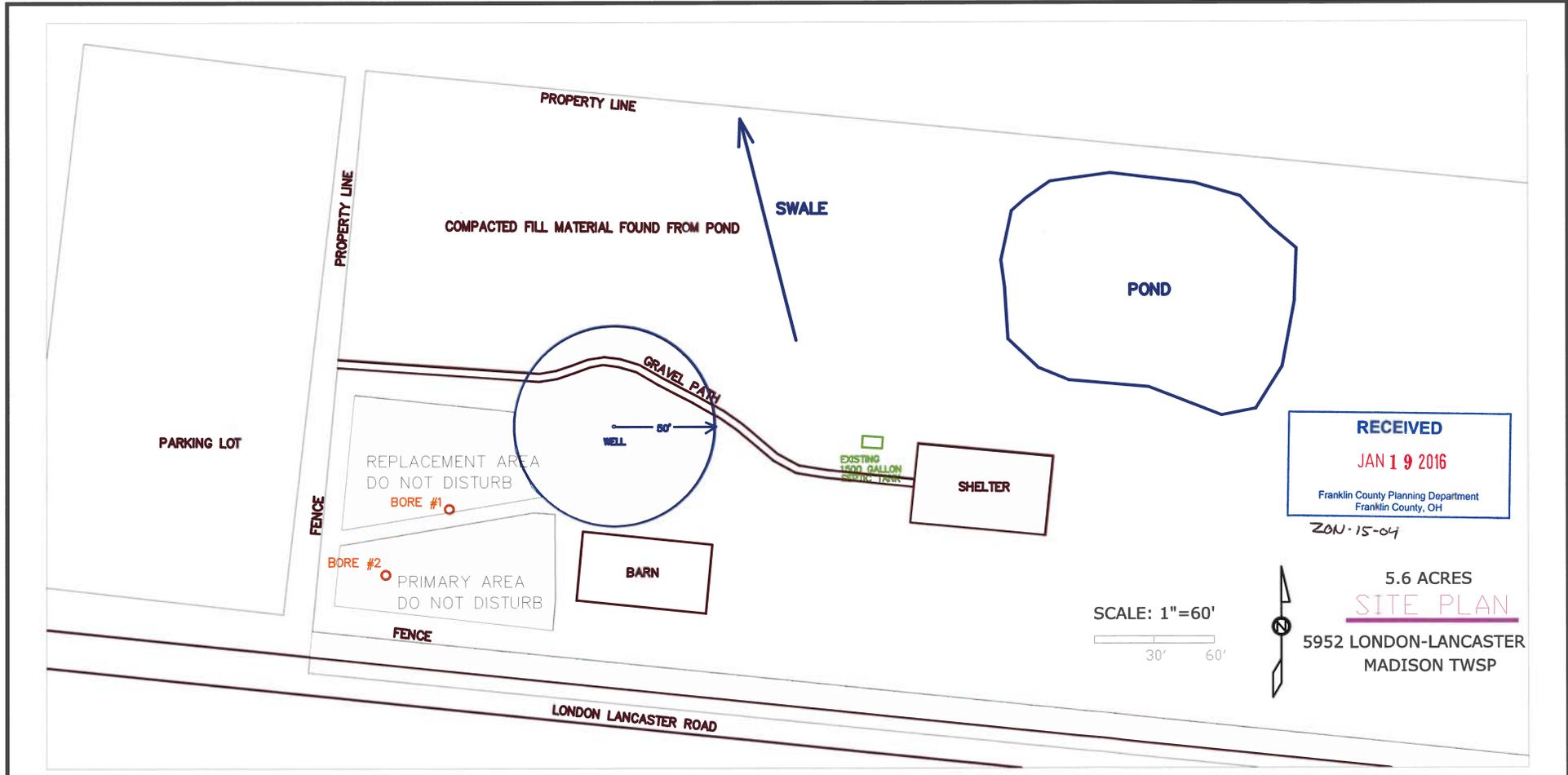
Limiting Conditions	Depth to (in.)	Descriptive Notes	Remarks / Risk Factors:
Perched Seasonal Water Table	18	Calina Soil	
Apparent Water Table			
Highly Permeable Material			
Bedrock			
Restrictive Layer	40		

Note: The evaluation should include a complete site plan or site drawing.

ODH - Dec 2006 - Revised Sept 2007



2015-15-04



RECEIVED
JAN 19 2016
 Franklin County Planning Department
 Franklin County, OH

ZON-15-04

5.6 ACRES
SITE PLAN
 5952 LONDON-LANCASTER
 MADISON TWSP

SCALE: 1"=60'
 30' 60'

OWNER:
 GEORGE BROBST
 5952 LONDON LANCASTER ROAD
 GROVEPORT, OH 43125
 614-207-4138

DATE: 10-26-15
 SCALE: 1" = 60'
 CHECKED BY:
 DRAFTED BY: MEF
 DESIGNED BY: MEF

DESIGNER:
 FLOWERS SEPTIC SYSTEM DESIGN INC
 263 PARK TRAILS CT
 NEWARK, OH 43055
 740-587-7363

Sheet
 SOIL

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: 01 / 19 / 2016

Received By: Matt Brown

Application No.: 673-A Fee: NA

FCPC Date: 02 / 10 / 16

Property Owner/Subdivider/or Agent

Signature: David Hodge - Attorney

Date: 1 / 19 / 2016

Name: Michael Carpenter, Jo Ann Carpenter, Jarmcar LLC

Address: 6001 Clark State Road

City, State, Zip: Gahanna, OH 43230

Phone No: () 365- 4100

Section numbers(s) of the county subdivision regulations and a brief description of variance(s) or appeal(s) requested:

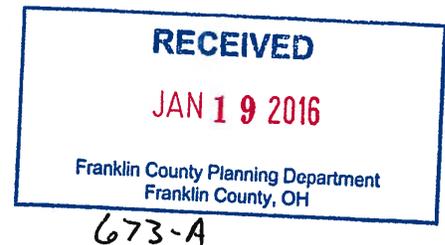
The property owners request a variance to Franklin County Subdivision Regulation Section
501.05 Lot Geometry, to legitimize an existing condition. Overall all of the involved
parcels become more conforming.

The property owners appeal the determination that a variance is required.

A Variance and Appeal Statement is attached.

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).

6001 Clark State Road
Variance and Appeal Statement



The Appellant's are the owners of the subject real property in Jefferson Township. The Appellant's reside at the property and have, over time, acquired several adjacent parcels. Their ownership consists today of four contiguous parcels, as outlined on the attached GIS map. Generally, the parcels are:

1. A single-family residential parcel along the south side of Clark State Road. (Parcel 1).
2. A landlocked parcel, without frontage on a public street, located adjacent to and south of Parcel 1. (Parcel 2).
3. A single-family residential parcel along the south side of Clark State Road, east of Parcel 1 and Parcel 2, which is the Appellant's primary residence. (Parcel 3).
4. A single-family residential parcel along the north side of Havens Road. (Parcel 4).

With the Appellant's proposed reconfiguration of their parcels, Parcel 1 will remain unchanged. Parcel 2 will be combined with Parcel 3, such that it is no longer nonconforming, and thereby rendering it more conforming. One half acre (.5) will be removed from Parcel 4 and combined with Parcel 3. In terms of the Subdivision Regulations, this .5 acre lot line adjustment makes Parcel 4 more conforming.

The totality of the circumstances here are that existing nonconforming parcels are being reconfigured such that they either become conforming, or less nonconforming.

The Appellant's lot line adjustment application was denied by the Franklin County Economic Development and Planning Department (FCEDPD) on the basis that the existing driveway on Parcel 3 does not meet the Lot Geometry requirement of Section 501.05 of the Franklin County Subdivision Regulations (FCSR). Section 501.05 provides as follows:

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What this means then for Appellant's lot, the depth is being increased due to the .5 acre split from Parcel 4 to be combined with Parcel 3, and the width does not change because the measurement is taken from the same location – 100 feet back from the street centerline. Notwithstanding the location at which the width must be measured, the width of the parcel that is created is greater than what currently exists due to the combination of Parcel 2 with Parcel 3.

If a variance is required, and we do not think one is, these exceptional circumstances warrant the approval of a variance under FCSR Section 701.07. The shape of Parcel 3, specifically the depth of the existing frontage piece and driveway portion of the lot is irregularly shaped, this is an existing condition that cannot be remedied in any way other than a determination of nonapplicability of the FCSR, or the grant of a variance. "Conforming" this condition would result in both an

extraordinary hardship, and an exceptional practical difficulty to the property owners, warranting the grant of the variance – if one is deemed necessary.

The existing condition and configuration of these properties is unusual to the property and is not applicable generally to other property. The purpose of the reconfiguration of these lots is not applicable generally to other property. The grant of this variance will have no impact whatsoever on public health, safety or general welfare, or be injurious in any way to other property or improvements in the neighborhood – this whole reconfiguration is an improvement to existing conditions. These special circumstances and conditions are created entirely by the FCSR and do not result from the act of these property owners – this is an existing condition at 100 feet back from the centerline. Last, the variance requested is the minimum adjustment necessary for the reasonable use of the land – if a variance is deemed necessary.

If a variance is required, and we dispute that, it is clearly warranted on the facts.

There are three bases for this appeal:

1. The condition is an existing nonconformity.
2. This lot reconfiguration is not a “Subdivision” under R.C. Chapter 711.
3. The FCSR are not applicable to this lot reconfiguration under Section 101.07

Basis 1

As provided above, the reason the lot split application was denied is because the location at which the width measurement must be taken under FCZR Section 501.05 is at 100’ back from the centerline of the road. With the lot reconfiguration proposed, there is no change to this section of the lot, that width measurement is currently 90’ +/- and will remain 90’ +/- afterwards. The depth to width ratio is currently 608’ +/- to 90’ +/-, after the split it will be 680’ +/- to 90’ +/-, again due to the measurement location. However, if the width measurement were to be taken at 350’ +/-, the depth to width would be 680’ +/- to 550’ +/- . The existing configuration of the lot is nonconforming, this is not being modified, this configuration is therefore legal nonconforming, should be recognized as such, and no variance should be required.

Basis 2

“Subdivision” is a defined term under R.C. Section 711.001. The parcel reconfiguration proposed by the Appellant is not a “subdivision” as that term is defined by Ohio law. Subdivision is defined as follows:

711.001 Plat definitions.

(B) “Subdivision” means either of the following:

- (1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose of,

whether immediate or future, of transfer of ownership provided, however that the following are exempt.

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 - (c) If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B)(1) of this section any parcel of land that is four acres or more, parcels in the size range delineated in that rule.
- (2) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

The Appellant's proposed lot reconfiguration meets neither (B)(1) nor (B)(2) of R.C. Section 711.001. This is not a division of land into two or more parcels as contemplated under (B)(1), this is it taking four parcels and making them three. Even if it were a subdivision, it would be deemed exempt under Section (B)(1)(b) because it involves an "exchange that does not create additional building sites".

Likewise, Appellant's reconfiguration does not meet R.C. 711.001(B)(2). This is not an improvement involving the opening, widening, or extension of any public or private street(s), or involving the division or allocation of land as open spaces for common use".

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Basis 3

Section 101.07 of the FCSR provides the "Scope of Application" of the regulations. The Regulations are applicable to those items provided in that section, and by implication inapplicable to items not provided. Section 101.07 provides:

101.07 Scope of Application. Within the unincorporated areas of the County, these Regulations shall be applicable to:

- A. The division of any parcel of land identified as a unit or as contiguous units on the last preceding tax roll into two or more parcels, sites, or lots, any one of which is less than twenty (20) acres for the purpose, whether immediate or future, of transfer of ownership.
- B. The improvement of one or more parcels of land, including large lot development, for residential, commercial or industrial structures or groups of structures involving the

- division or allocation of land for the opening, widening or extension of any streets;
and;
- C. The division or allocation of land as open space for common use by owners, occupants or leaseholders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Appellant's proposed lot reconfiguration does not fall within the "scope of application" under 101.07 (A), (B) or (C). Again, under 101.07(A) applicability is reserved to an owner dividing a parcel into two or more parcels. Here the owners are taking four parcels and making three. Under 101.07(B) an owner must be making an improvement involving the division or allocation of land for the opening, widening or extension of streets – not happening here. And 101.07(C) contemplates the division or allocation of land as open space for common use, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities – none of which is proposed or occurring under this lot line adjustment proposal.

For all of the reasons provided, a variance to FCSR Section 501.05 is not required. With a determination that a variance is necessary, for the reasons provided above, the facts warrant a grant of a variance.

Michael Carpenter, Jo Ann Carpenter, Jarmcar LLC

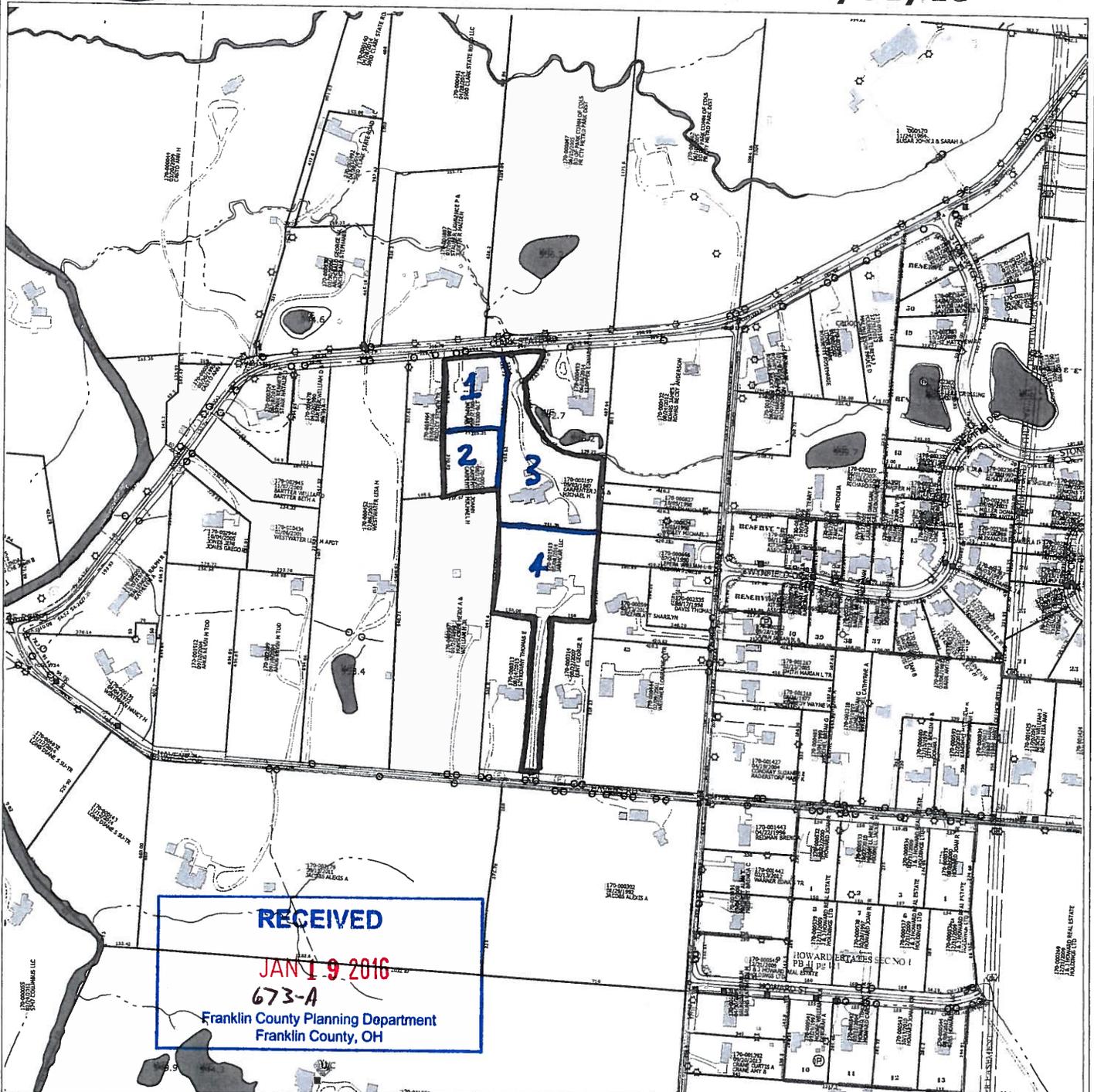
By: David Hedge attorney
Date: January 19, 2016



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dlh

DATE: 3/31/15



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JAN 19 2016
673-A
Franklin County Planning Department
Franklin County, OH

Disclaimer

Scale = 500



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

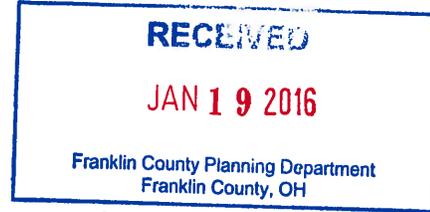


Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

December 18, 2015

Underhill Yaross & Hodge LLC
David Hodge
8000 Walton Parkway, Suite 260
New Albany, OH 43054



Mr. Hodge:

This correspondence is concerning your lot split application, Case #9795-15-LS, proposing a lot line adjustment to move 0.5 acres from parcel 170-001513 to parcel 170-000197. The proposed lot line adjustment must meet the applicable subdivision standards specified in the *Franklin County Subdivision Regulations*. This document is available in the "Planning and Zoning" section of our website at development.franklincountyohio.gov. The application was reviewed for compliance with the *Franklin County Subdivision Regulations* and has been **denied** based on the following:

1. Section 501.05— *Lot Geometry*: Side lot lines shall be within 5 degrees of being perpendicular or radial to street centerlines. Lot depth to width ratio shall not exceed 4 to 1.
 - The property at parcel 170-000197 has a larger lot depth to width ratio than 4 to 1 and the proposed lot line adjustment increases that lot depth to width ratio.

The lot split application and survey may be revised to show adherence to this subdivision standard.

The other option is to file a formal variance request. This request will go before the Franklin County Planning Commission (FCPC) in a public hearing who will act upon it in accordance with Section 701 of the Franklin County Subdivision Regulations. The fee to file is \$350 (non-refundable). The next variance deadline is January 19, 2016 for the February 10, 2016 Planning Commission meeting.

Finally, the application was reviewed by Technical Review Agencies. Please see below for comments.

Franklin County Public Health

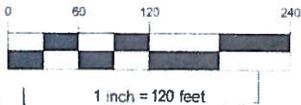
An easement is needed for the aerator's discharge line.

If you have additional questions, please contact me by phone at 614-525-4879 or by email at kspergel@franklincountyohio.gov.

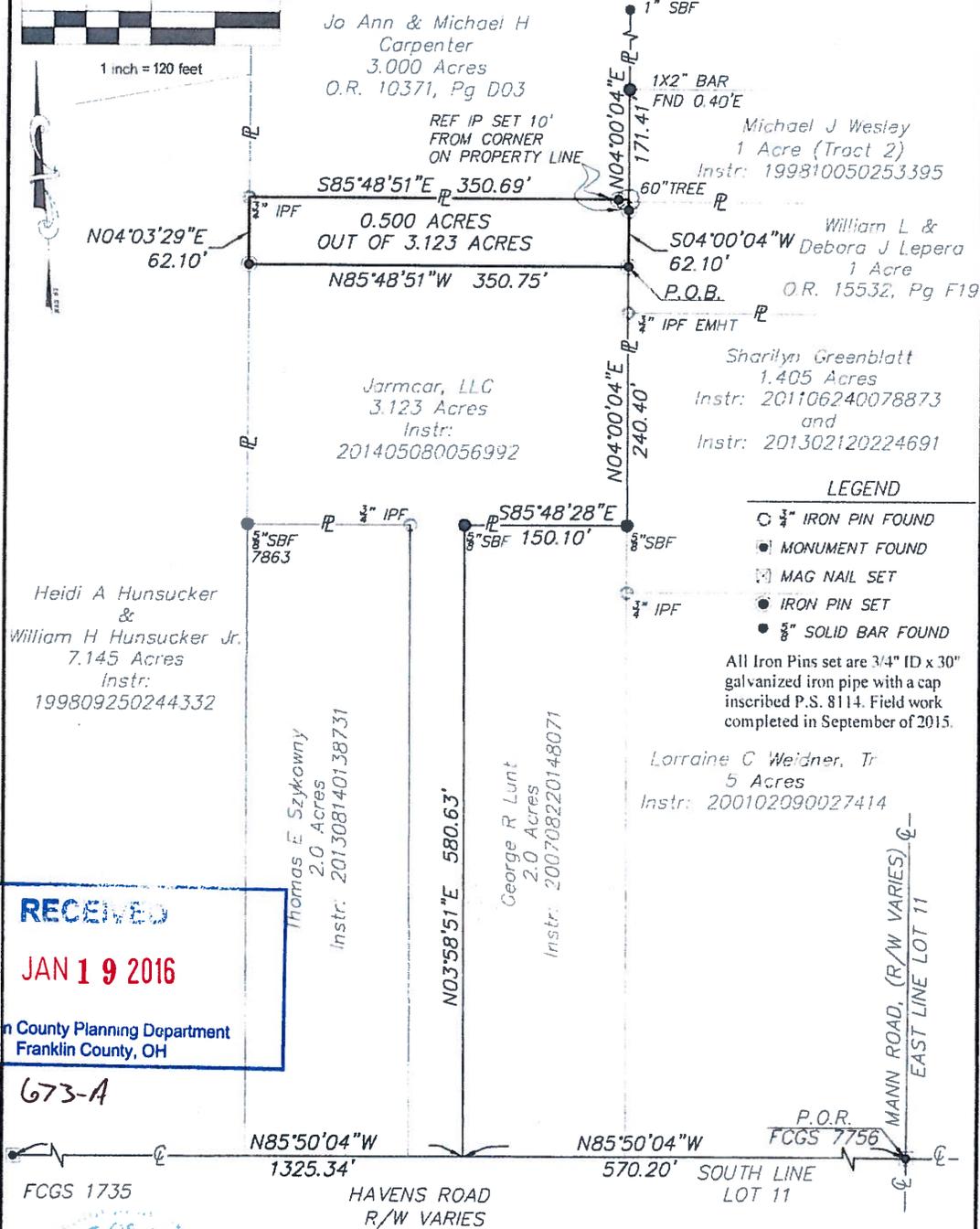
Sincerely,

Kendra Spergel
Planning Project Coordinator

GRAPHIC SCALE



SITUATE IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
TOWNSHIP OF JEFFERSON, LOT 11, QUARTER TOWNSHIP 2,
TOWNSHIP 1, RANGE 16, UNITED STATES MILITARY LANDS



LEGEND

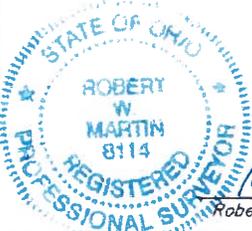
- 3/4" IRON PIN FOUND
- MONUMENT FOUND
- ⊠ MAG NAIL SET
- IRON PIN SET
- 5/8" SOLID BAR FOUND

All Iron Pins set are 3/4" ID x 30" galvanized iron pipe with a cap inscribed P.S. 8114. Field work completed in September of 2015.

Z:\CARPENTER BOUNDARY SURVEY DRAWINGS\CARPENTER LOT SPLIT HALF ACRE.DWG - 0 PREP - PLOTTED BY BO - October 02, 2015 - 9:20 AM

RECEIVED
JAN 19 2016
 Franklin County Planning Department
 Franklin County, OH

673-A



Robert W. Martin 10-2-15
 Robert W. Martin, P.S. 8114 DATE

For the purpose of this description a bearing of N85°50'04"W was held on Centerline of HAVENS Road (Right of Way VARIES), and is based on the Ohio State Plane Coordinate System, South Zone, NAD83. Said bearing was established by Static and RTK GPS Observations, and was determined by using National Geodetic Survey, OPUS--S service. This plot is based on a survey completed by Robert W. Martin in September of the year 2013.

SURVEY EXHIBIT OF
0.500 ACRES ON
HAVENS ROAD

Prepared By: **TAT WATCON**
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Gahanna, Ohio 43230
 Ph. (614) 414-7979

DRAWN BY: NEW	SCALE: 1" = 120'	DATE: 10/02/2015
CHECKED BY: RWM	PROJECT:	SHEET NO. 1 OF 1

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: 01 / 19 / 2016

Received By: Matt Brown

Application No.: 674-V Fee: 350.00

FCPC Date: 02 / 10 / 16

Property Owner/Subdivider/or Agent

Signature: David Hodge - attorney

Date: 1 / 18 / 2016

Name: Michael Carpenter, Jo Ann Carpenter, Jarmcar LLC

Address: 6001 Clark State Road

City, State, Zip: Gahanna, OH 43230

Phone No: () 365 - 4100

Section numbers(s) of the county subdivision regulations and a brief description of variance(s) or appeal(s) requested:

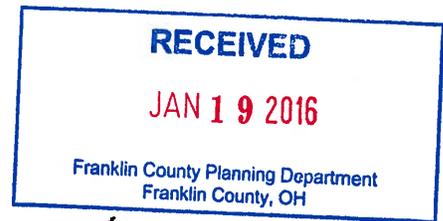
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The property owners appeal the determination that a variance is required.

A Variance and Appeal Statement is attached.

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).

6001 Clark State Road
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As provided above, the reason the lot split application was denied is because the location at which the width measurement must be taken under FCZR Section 501.05 is at 100’ back from the centerline of the road. With the lot reconfiguration proposed, there is no change to this section of the lot, that width measurement is currently 90’ +/- and will remain 90’ +/- afterwards. The depth to width ratio is currently 608’ +/- to 90’ +/-, after the split it will be 680’ +/- to 90’ +/-, again due to the measurement location. However, if the width measurement were to be taken at 350’ +/-, the depth to width would be 680’ +/- to 550’ +/- . The existing configuration of the lot is nonconforming, this is not being modified, this configuration is therefore legal nonconforming, should be recognized as such, and no variance should be required.

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For all of the reasons provided, a variance to FCSR Section 501.05 is not required. With a determination that a variance is necessary, for the reasons provided above, the facts warrant a grant of a variance.

Michael Carpenter, Jo Ann Carpenter, Jarmcar LLC

By: David Hedge, attorney

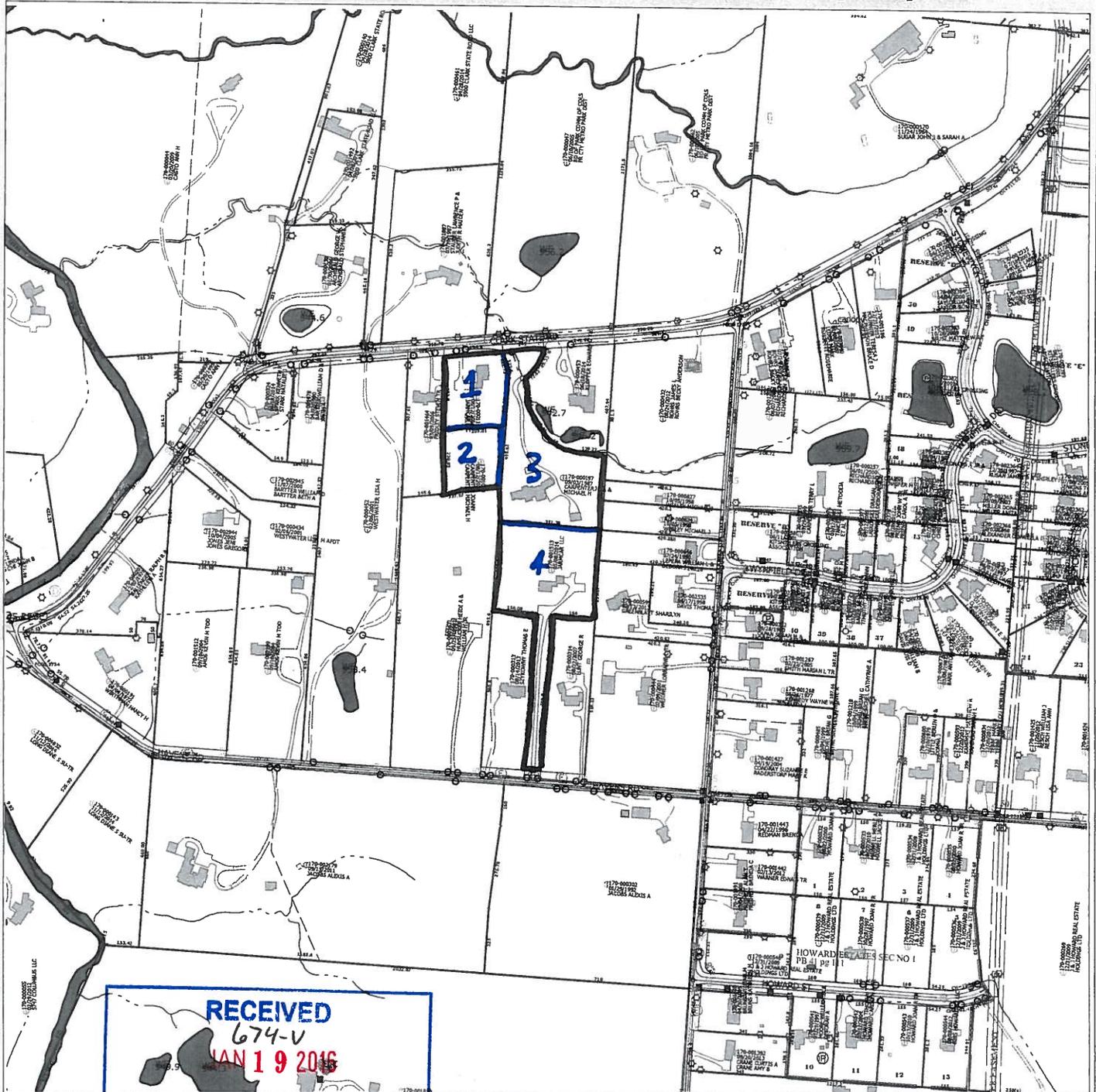
Date: January 19, 2016



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dlh

DATE: 3/31/15



RECEIVED
674-V
JAN 19 2016
Franklin County Planning Department
Franklin County, OH

Disclaimer

Scale = 500



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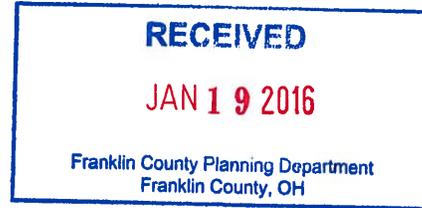


Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

December 18, 2015

Underhill Yaross & Hodge LLC
David Hodge
8000 Walton Parkway, Suite 260
New Albany, OH 43054



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Finally, the application was reviewed by Technical Review Agencies. Please see below for comments.

Franklin County Public Health

An easement is needed for the aerator's discharge line.

If you have additional questions, please contact me by phone at 614-525-4879 or by email at kspergel@franklincountyohio.gov.

Sincerely,

Kendra Spergel
Planning Project Coordinator

GRAPHIC SCALE



SITUATE IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
TOWNSHIP OF JEFFERSON, LOT 11, QUARTER TOWNSHIP 2,
TOWNSHIP 1, RANGE 16, UNITED STATES MILITARY LANDS

Jo Ann & Michael H
Carpenter
3.000 Acres
O.R. 10371, Pg D03

REF IP SET 10'
FROM CORNER
ON PROPERTY LINE

S85°48'51"E 350.69'
0.500 ACRES
OUT OF 3.123 ACRES

N85°48'51"W 350.75'

Jarmcar, LLC
3.123 Acres
Instr:
201405080056992

Heidi A Hunsucker
&
William H Hunsucker Jr.
7.145 Acres
Instr:
199809250244332

Thomas E. Szykowny
2.0 Acres
Instr: 201308140138731

George R Lunt
2.0 Acres
Instr: 200708220148071

Lorraine C Weidner, Tr
5 Acres
Instr: 200102090027414

Michael J Wesley
1 Acre (Tract 2)
Instr: 199810050253395

William L &
Debora J Lepera
1 Acre
O.R. 15532, Pg F19

Sharilyn Greenblatt
1.405 Acres
Instr: 201106240078873
and
Instr: 201302120224691

LEGEND

- 3/4" IRON PIN FOUND
- MONUMENT FOUND
- ⊠ MAG NAIL SET
- ⊙ IRON PIN SET
- 3/8" SOLID BAR FOUND

All Iron Pins set are 3/4" ID x 30" galvanized iron pipe with a cap inscribed P.S. 8114. Field work completed in September of 2015.

RECEIVED

JAN 19 2016

Franklin County Planning Department
Franklin County, OH

674-V



Robert W. Martin, P.S. 8114 DATE 10-2-15

For the purpose of this description a bearing of N85°50'04"W was held on Centerline of HAVENS Road (Right of Way VARIES), and is based on the Ohio State Plane Coordinate System, South Zone, NAD83. Said bearing was established by Static and RTK GPS Observations, and was determined by using National Geodetic Survey, OPUS-S service. This plat is based on a survey completed by Robert W. Martin in September of the year 2013.

**SURVEY EXHIBIT OF
0.500 ACRES ON
HAVENS ROAD**

Prepared By:
**TAT
WATCON**
CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

DRAWN BY: NEW
CHECKED BY: RWM

SCALE: 1" = 120'
PROJECT:

DATE: 10/02/2015
SHEET NO. 1 OF 1

2. CARPENTER BOUNDARY SURVEY DRAWINGS CARPENTER LOT SPLIT HALF ACRE.DWG - 0 XREFS: - PLOTTED BY: BO - October 02, 2015 - 9:20 AM