



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning & Subdivision Committee Thursday, April 10, 2025, 12:15 pm

Minutes from the last meeting of March 13, 2025

1. Review of Avondale Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
2. Review of Curry Farms Phase 1 Final Plat (Union County) – Staff Report by Brad Bodenmiller
3. Review of Curry Farms Phase 2 Final Plat (Union County) – Staff Report by Brad Bodenmiller
4. Review of Dover Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
5. Review of Jerome Township Parcel Amendment (Union County) – Staff Report by Gram Dick
6. Review of Mad River Township Zoning Text Amendment (Champaign County) – Staff Report by Aaron Smith
7. Review of Pleasant Township Zoning Text Amendment (Logan County) – Staff Report by Aaron Smith

Members:

Tyler Bumbalough – City of Urbana Engineer
Scott Coleman – Logan County Engineer
Weston R. Dodds – City of Bellefontaine Safety Service Director
Ashley Gaver – City of Marysville Planner
Steve Robinson – Union County Commissioner
Steve McCall – Champaign County Engineer
Tammy Noble – City of Dublin Planning
Tom Scheiderer – Jefferson & Zane Township Zoning Inspector
Jeff Stauch – Union County Engineer
Todd Freyhof – North Lewisburg Administrator
LUC Staff

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Applicant:	Sox Real Estate, LLC c/o Bart Barok 5979 Dublin Road Delaware, OH 43015 bartbarok@gmail.com Kimley-Horn and Associates, Inc. c/o Brian Burkhardt 7965 North High Street, Suite 200 Columbus, OH 43235 nickstauffenger@kimley-horn.com
Request:	Approval of Avondale – Preliminary Plat. <i>This Plat was tabled during the March 2025 LUC Executive Committee meeting.</i>
Location:	Located south of the State Route 736 and Robinson Road intersection, just north of the Darby Braeside subdivision in both Darby and Jerome townships, Union County.

Staff Analysis:	This Preliminary Plat involves 67.88 acres of land and proposes 30 single-family residential lots. Note: 15.36 acres are proposed within Darby Township. 52.52 acres are proposed within Jerome Township. Acreages: ○ Unspecified number of acres in right-of-way ○ Unspecified number acres in single-family residential lots ○ 0.0 acres in open space Proposed utilities: ○ Water service proposed is private, on-site wells ○ Sanitary service proposed is private, on-site treatment systems • Union County Engineer's Office ○ The Engineer's Office submitted comments in a letter dated 03-06-25. The Engineer's Office recommended approval subject to its modifications and recommendations, which should be addressed in the final Construction Drawings or resolved as indicated. <u>Some</u> of those comments are listed below and
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	summarized for reference. (Please refer to letter for all comments.) 1. All appropriate OEPA/ODNR/ACOE permitting will be required prior to the start of construction. 2. All stormwater infrastructure and drainage easements will be reviewed in more detail during the final construction drawing review process. 3. Detail all flood routing swales, including 100-year water surface elevations, ensuring at least 1' of freeboard between the 100-year water surface and the finished grade elevations of all building structures. 4. Provide a stormwater management report for review. 5. Provide detailed construction drawings to private utility providers. ○ In an email dated 04-04-25, the Engineer's Office confirmed the variance for a through lot was approved and the layout and design of the lots, street, and other improvements are approved. • Union County Soil & Water Conservation District ○ In an email dated 03-27-25, the District advised it had no comments. • Union County Health Department ○ In a letter dated 03-21-25, the Health Department advised that the Board of Health approved the application and proposed plans for the subdivision served by individual on lot sewage treatment systems and individual private water systems (wells). ○ No additional comments received as of 04-02-25. Standard comments from the Health Department are below: 1. "All efforts should be made to provide a point of connection (via easements and/or service lines) to both water and sewer to any adjacent home, business, or any other facility that is serviced by a private water system (PWS) and/or sewage treatment system (SWS)." 2. Any home, business, or other structure that is currently being serviced by a private sewage treatment system (STS) and ends up being
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	situated within 200' of a sanitary sewer easement, shall be brought to the attention of the Union County Health Department.” 3. “If at any at time during development of the subdivision a private water system (PWS) (well, cistern, etc.) or sewage treatment system (STS) is found, our office shall be immediately contacted for inspection. Proper permitting must be obtained for sealing and/or abandonment of a private water system (PWS) and sewage treatment system (STS).” • City of Marysville ○ In an email dated 03-04-25 and an email dated 03-31-25, the City advised it had no comments. • Village of Plain City ○ No comments received as of 04-02-25. • Darby Township ○ Darby Township submitted comments in a letter dated 04-03-25. Some of those comments are listed below and summarized for reference. (Please refer to letter for all comments.) 1. Variance granted by BZA regarding minimum lot size on Lot 19. 2. Variance granted by BZA regarding minimum lot size on Lot 22. 3. Variance granted by BZA regarding minimum depth to width ratio: 1:1 on lots 18, 19, 22, 23, and 24. (Note: Variance was not required on Lot 25.) • Jerome Township ○ Jerome Township submitted comments in a letter dated 03-28-25. Some of those comments are listed below and summarized for reference. (Please refer to letter for all comments.) 1. The site is zoned RU District. The lots, as proposed, generally comply with the applicable regulations for lot size including minimum lot width and area. 2. Corner lots should be interpreted as having two front yards, two side yards, and no rear yard. The
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	setback on multiple lots should be adjusted as a result. 3. Sheet 4 & 5: Lot 1 was drawn in a way that shows some fee-simple right-of-way and some existing easement for highway purposes. While Sheet 5 has been corrected slightly, the information on that sheet no longer matches the ROW width indicated on Sheet 4. The ROW line of Lot 1 that parallels SR 736 should be the same as the currently existing highway easement, unless ODOT is allowing a lesser ROW width. • ODOT District 6 ○ No comments received as of 04-02-25. • Union Rural Electric ○ URE submitted updated comments in a letter dated 03-27-25. Some of those comments are listed below and summarized for reference. (Please refer to letter for all comments.) 1. URE easement requirements are 20'. Actual location on lots can be located within a 10' easement if adjacent property has additional easements or right-of-way for ingress/egress totaling 20'. 2. URE requires a separate 10' easement along the front of lots 1-30 adjacent to the right-of-way or utility easement. 3. URE requires a 20' easement between lots 29/30 extending from the right-of-way to the north property line of Lot 29. 4. URE provided easement areas in a drawing. • LUC Regional Planning Commission 1. On the Final Plat, please provide Base Flood Elevations and minimum first floor elevations where lots are located within Flood Hazard Areas. This comment is simply a reminder (§323, 11.). 2. Sheet 5: Through Lots shall be avoided except where the Regional Planning Commission determines that it is essential to provide separation of residential development from arterials or collectors (§413, 4.). Lot 18 appears to have frontage on two parallel streets. This appears to require a variance from the
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	Board of County Commissioners to allow one Through Lot. According to the Union County Engineer's Office, such variance was granted. 3. Sheet 6: According to this Sheet, right-of-way along Oh-736 is to be dedicated and will not be by highway easement. Changing this may require an Amended Preliminary Plat. Please consult the Union County Engineer's Office (§313, 12.). 4. Sheet 5: It is unclear where Elmcrest Drive and Fitzhamon Drive start/end. LUC Staff defer to the County Engineer's Office on the location where Fitzhamon Drive changes to Elmcrest Drive and/or naming conventions (§313, 12.). 5. Sheet 5: Please review Darby Braeside, Phase 2 – Final Plat. There is a 15' Utility Easement on both sides of Fitzhamon Drive. Seemingly, it would make sense to continue this easement. 6. Easements for water and sewer must be a minimum of 20' and 10' for other utilities (§313, 12.; §414). 7. Note: All plats shall contain a restriction that no permanent structures or plantings, etc. shall be permitted in the easement areas (§323, 7.). 8. A letter from both Darby and Jerome townships certifying that the Final Plat conforms with each township zoning resolutions is required before any approval of the Final Plat may be granted (§401; §412, 1.; §413, 2.). 9. All bonds, surety, letters of credit, etc. shall be approved by the County Commissioners before any approval of the Final Plat may be granted (§324, 2.; §326; §330).
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Staff Recommendations:	Staff recommends CONDITIONAL APPROVAL of the Avondale – Preliminary Plat with the conditions being all comments/modifications from LUC and reviewing agencies, related to Subdivision Regulations requirements, shall be incorporated into the Construction Drawings and Final Plat. The developer shall ensure that prior to Final Plat submittal, all requirements and items outlined in the Union County Subdivision Regulations are incorporated in the Final Plat prior to submittal.
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Logan-Union-Champaign regional planning commission

Staff Report – Avondale

Z&S Committee Recommendations:	Options for action: ○ <i>Approval</i> ○ <i>Conditional Approval (state conditions)</i> ○ <i>Denial (state reasons)</i> ○ <i>Table (if requested)</i>
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Drawing name: K:\GIB_LDEV\190363000_Sov Real Estate_Jerome_OH\2_Design\CAD\PlanSheets\Preliminary Engineering Plan\Cover Sheet.dwg 1 COVER SHEET Mar 20, 2025 10:21am by Jacob Wenzel

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Sheet List Table	
Sheet Number	Sheet Title
1	COVER SHEET
2	GENERAL NOTES
3	TYPICAL SECTIONS
4	EXISTING CONDITIONS
5	SITE PLAN
6	UTILITY & GRADING PLAN
7	SIGHT DISTANCE EXHIBIT
8	STREET PROFILES
9	STREET PROFILES
10	EROSION CONTROL PLAN

SITE STATISTICS

CURRENT ZONING: RU - RURAL RESIDENTIAL DISTRICT (JEROME TOWNSHIP)
U-1 - RURAL UNDEVELOPED DISTRICT (DARBY TOWNSHIP)

TOTAL SITE ACREAGE: ±67.88 AC
SITE ACREAGE WITHIN DARBY TOWNSHIP: ±15.36 AC
SITE ACREAGE WITHIN JEROME TOWNSHIP: ±52.52 AC
TOTAL NUMBER OF DWELLING UNITS: 30
TOTAL NUMBER OF BEDROOMS PER UNIT: 3-5
GROSS DENSITY: 0.44 UNITS/AC

REFERENCES

- EXISTING BASE MAP INFORMATION OBTAINED FROM UNION COUNTY GIS, NOVEMBER 2024.
- EXISTING TOPOGRAPHIC INFORMATION IS BASED ON LIDAR DATA OBTAINED FROM OHIO GEOGRAPHICALLY REFERENCED INFORMATION PROGRAM, NOVEMBER 2024.

FLOOD PLAIN

ALL OF THE AVONDALE DEVELOPMENT IS IN THE FLOOD HAZARD ZONE X (OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39159C0370D, EFFECTIVE DATE 12/16/2008

BENCHMARKS (NAVD 88)

BM #1: 949.91'
A CHISELED SQUARE CUT IN THE NORTHERNMOST CORNER OF NORTHWESTERLY BRIDGE ABUTMENT LOCATED ON THE NORTHEASTERLY SIDE OF S.R. 736 AND HICKORY RIDGE ROAD INTERSECTION.

BM #2: 945.41'
A RAILROAD SPIKE SET IN THE WESTERLY SIDE OF A POWER POLE, BEING THE SECOND POLE NORTHWEST OF THE S.R. 736 BRIDGE, LOCATED 430 FEET NORTHWEST OF THE S.R. 736 BRIDGE AND HICKORY RIDGE ROAD INTERSECTION AND BEING 54' NORTHEAST OF THE NORTHEASTERLY S.R. 736 EDGE OF PAVEMENT.

BM #3: 950.02'
A CHISELED SQUARE CUT IN THE WESTERNMOST CORNER OF NORTHWESTERLY BRIDGE ABUTMENT LOCATED ON THE SOUTHWESTERLY SIDE OF S.R. 736, BEING 193 FEET NORTHWEST OF THE S.R. 736 AND HICKORY RIDGE ROAD INTERSECTION.

BM #4: 954.50'
A RAILROAD SPIKE SET IN THE SOUTHEASTERLY SIDE OF A POLE IN FRONT OF THE HOUSE AT 8911 S.R. 736 AND APPROX. 63' SOUTHWEST OF THE SOUTHWESTERLY EDGE OF PAVEMENT FOR S.R. 736, BEING 570 FEET NORTHWEST OF THE S.R. 736 AND HICKORY RIDGE ROAD INTERSECTION.

NOTES

FIELDWORK FOR THE ALTA/NSPS LAND TITLE SURVEY WAS COMPLETED ON OCTOBER 29, 2024.

CIVIL ENGINEER

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DEVELOPER

SOX REAL ESTATE, LLC
5979 DUBLIN ROAD
DELAWARE, OH 43015
TEL: (614) 286-2055
CONTACT: BART BAROK
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SURVEYOR

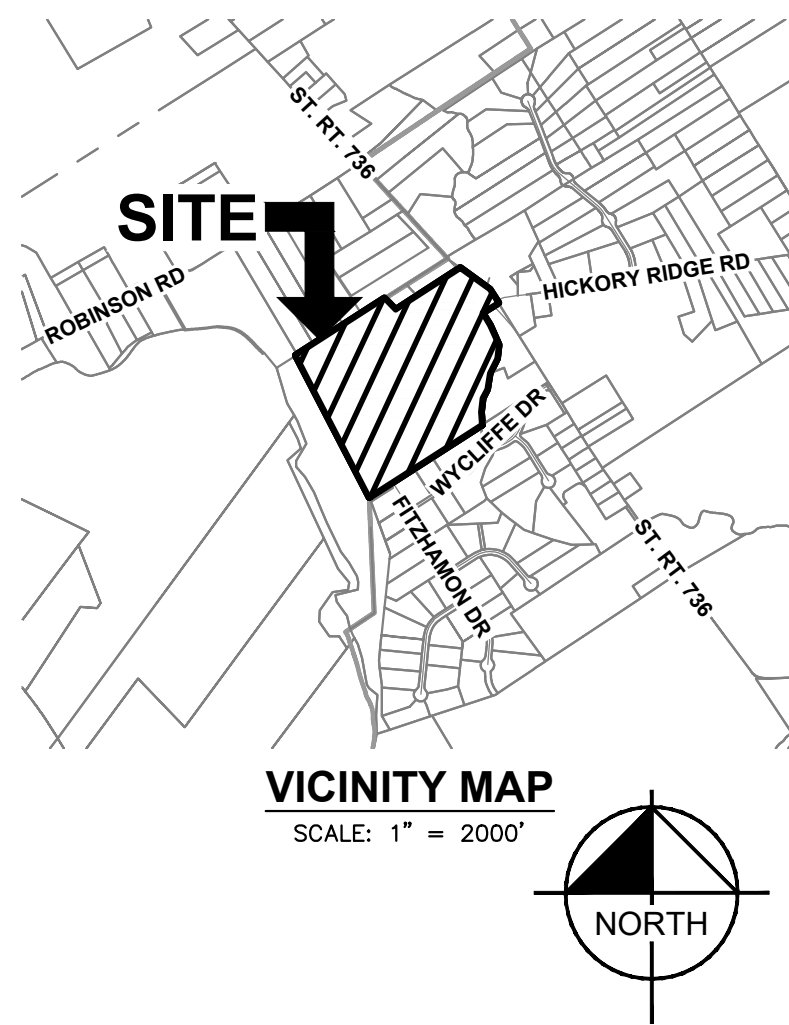
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EMAIL: MATT.ACKROYD@CESOINC.COM

PROPERTY OWNER

WILCOX BARBARA
0 STATE ROUTE 736
PLAIN CITY, OH 43064

PRELIMINARY ENGINEERING PLAN FOR AVONDALE

VIRGINIA MILITARY SURVEY NO. 3484
JEROME/DARBY TOWNSHIP, UNION COUNTY, OHIO



EXISTING PARCEL INFORMATION:

(A) KARRER CAROL C 13887 ROBINSON RD PID: 1330000096000 ZONING U-1 18.73 ACRES	(L) FULLER BRIAN T, FULLER HOLLY A 8747 ST RT 736 PID: 1330000107001 ZONING RU 4.40 ACRES
(B) BODENBENDER HARLEY G & JUDITH K TRUSTEES 13859 ROBINSON RD PID: 1330000097000 ZONING U-1 6.10 ACRES	(M) HOCHSTETLER PHILLIP E & RHODA M 8717 ST RT 736 PID: 1340000213000 ZONING RU 5.04 ACRES
(C) BURRIS SHAY S, BURRIS LORI A 13835 ROBINSON RD PID: 1330000098000 ZONING U-1 5.60 ACRES	(N) DIONISIO DAVID, DIONISIO REBECCA 13000 WYCLIFFE DR PID: 1340000224000 ZONING RU 2.58 ACRES
(D) AKINS KEVIN T & MARY ALICE 13795 ROBINSON RD PID: 1330000099000 ZONING U-1 5.58 ACRES	(O) STRIBLIN KEITH, STRIBLIN MICHAELA 13032 WYCLIFFE DR PID: 1340000225000 ZONING RU 3.52 ACRES
(E) FRANCIS STEPHEN J 13761 ROBINSON ROAD PID: 1330000100000 ZONING U-1 6.20 ACRES	(P) JR HONAKER JOHN A, HONAKER KIM E 13040 WYCLIFFE DR PID: 1340000226000 ZONING RU 1.52 ACRES
(F) LYONS TYLER J & MARY K 8931 ST RT 736 PID: 1330000106000 ZONING RU-1 5.10 ACRES	(Q) MAMER LUKE, MAMER REAGAN 13050 WYCLIFFE DR PID: 1340000227000 ZONING RU 1.63 ACRES
(G) SWARTZ JASON A, SWARTZ MISTY D 0 ST RT 736 PID: 1330000107003 ZONING RU 1.00 ACRES	(R) BEETON THERESA, BEETON BRET 8633 FITZHAMON DR PID: 1340000229000 ZONING RU 1.55 ACRES
(H) SWARTZ JASON A, SWARTZ MISTY D 8911 ST RT 736 PID: 1330000107002 ZONING RU 1.94 ACRES	(S) DARBY BRAESIDE HOMEOWNERS ASSOCIATION INC 0 WYCLIFFE DR PID: 1340000228000 ZONING RU 0.30 ACRES
(I) STONE J DAVID & BONNIE L 9000 ST RT 736 PID: 1330000109000 ZONING RU 5.71 ACRES	(T) DARBY BRAESIDE HOMEOWNERS ASSOCIATION INC 0 FITZAMON DR PID: 1430000031000 ZONING U-1 23.34 ACRES
(J) COMSTON TINA ANN & DON EDWARD 13200 HICKORY RIDGE RD PID: 1340000138000 ZONING RU 9.95 ACRES	
(K) LADA ROBERT 13215 HICKORY RIDGE RD PID: 1340000139000 ZONING RU 2.36 ACRES	

PRELIMINARY ENGINEERING PLAN
FOR
AVONDALE

STATE ROUTE 736
PLAIN CITY, OHIO 43064

ORIGINAL ISSUE:
3/17/2025
KHA PROJECT NO.
190363000
SHEET NUMBER

1
OF 10

Kimley»Horn

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SCALE: AS NOTED
DESIGNED BY: NSS
DRAWN BY: JDW
CHECKED BY: NSS

COVER SHEET

No. REVISIONS DATE BY

Reuse of and

1. THE CURRENT STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS (ODOT) TOGETHER WITH THE REQUIREMENTS OF THE UNION COUNTY, OHIO SHALL GOVERN MATERIALS AND WORKMANSHIP INVOLVED IN THIS PROJECT. THE CONTRACTOR SHALL COMPLY WITH ALL SPECIFICATIONS MODIFIED BY THE FOLLOWING SPECIFICATIONS OR CONSTRUCTION DETAILS SET FORTH HEREIN
2. ALL WORK IS TO BE ACCEPTABLE TO UNION COUNTY OFFICIALS. NO WORK IS TO COMMENCE UNTIL ARRANGEMENTS HAVE BEEN MADE WITH THE UNION COUNTY ENGINEER FOR INSPECTION. ALL CONSTRUCTION LAYOUT IS TO BE PROVIDED BY THE OWNER
3. THE DEVELOPER/OWNER SHALL, PRIOR TO ANY CONSTRUCTION OPERATIONS, DEPOSIT WITH THE UNION COUNTY, OHIO ENGINEER AN ESTIMATED AMOUNT OF \$10,000.00 TO COVER THE COST OF THE INSPECTION
4. THE CONTRACTOR SHALL NOTIFY THE UNION COUNTY ENGINEER AT LEAST THREE WORKING DAYS PRIOR TO CONSTRUCTION
5. THE CONTRACTOR AND SUBCONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE AND LOCAL SAFETY REQUIREMENTS. IT IS ALSO THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTOR TO INITIATE, MAINTAIN, AND SUPERVISE ALL SAFETY REQUIREMENTS AND PROGRAMS IN CONNECTION WITH THE WORK
6. THE CITY OF DAYTON HAS BEEN ADVISED OF ALL EXISTING UNDERGROUND FACILITIES KNOWN TO BE IN THE CONSTRUCTION AREA. HAS BEEN SHOWN ON THE PLANS AS ACCURATELY AS PROVIDED BY THE OWNER OF THE UTILITY. THE UNION COUNTY HAS NO RESPONSIBILITY AS TO THE ACCURACY OR DEPTH OF THE UNDERGROUND FACILITIES AS SHOWN ON THE PLANS
7. INVESTIGATIONS, LOCATION, SUPPORT, AND RESTORATION OF ALL EXISTING UTILITIES, APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR
8. WHERE POTENTIAL GRADE CONFLICTS MAY OCCUR WITH EXISTING UTILITIES THE CONTRACTOR SHALL UNCOVER THE EXISTING UTILITY AND ADVISE THE CITY OF DAYTON BY NOTIFYING PIPE IN ORDER THAT THE ENGINEER MAY DETERMINE THE EXACT ELEVATION AND MAKE ANY NECESSARY ADJUSTMENTS
9. THE CONTRACTOR SHALL GIVE NOTICE TO THE OHIO UTILITIES PROTECTION SERVICE (PHONE 1- 800-362-2764) TO ADVISE THE OWNERS OF THE UTILITY UTILITIES SHOWN ON THE PLANS WHO ARE NOT MEMBERS OF THE REGISTERED UTILITY PROTECTION SERVICE. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE RELOCATION OF ANY UTILITY AS REQUIRED BY THE PLAN WITH THE OWNER OF THE AFFECTED UTILITY
10. ALL 48" TILE DRAINAGE SHALL BE REPLACED WITH SDR 35 PERFORATED PIPE OR CONNECTED TO THE STORM SEWER SYSTEM
11. ALL TRAFFIC CONTROL DEVICES SHALL BE FURNISHED, ERECTED, MAINTAINED, AND REMOVED BY THE CONTRACTOR IN ACCORDANCE WITH THE OHIO MANUAL OF TRAFFIC DEVICES FOR CONSTRUCTION AND MAINTENANCE OPERATIONS. THE OHIO MANUAL OF TRAFFIC DEVICES FOR CONSTRUCTION AND MAINTENANCE OPERATIONS MAY BE OBTAINED FROM THE OHIO DEPARTMENT OF TRANSPORTATION
12. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY OR ALL EXISTING SIGNS, SHRUBS, FENCES, OR OTHER PHYSICAL FEATURES DAMAGED DURING THE EXECUTION OF THIS CONTRACT AT HIS OWN EXPENSE. ALL REPAIRS TO BE MADE TO THE CITY OF DAYTON
13. ANY SURVEY MONUMENTS OR PROPERTY CORNER PINS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A REGISTERED SURVEYOR AT THE CONTRACTOR'S EXPENSE
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND GOVERNMENT FEES, LICENSES, AND INSPECTIONS NECESSARY FOR THE PROPER EXECUTION AND COMPLETION OF IMPROVEMENTS SHOWN ON THESE PLANS
15. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY AND ALL EXISTING WORK DAMAGED DURING OR DUE TO THE EXECUTION OF THIS CONTRACT AT HIS OWN EXPENSE. ALL SAID WORK SHALL BE TO THE SATISFACTION OF THE OWNER AND THE UNION COUNTY
16. THE CONTRACTOR SHALL CLEAN ADJACENT STREETS ON A DAILY BASIS IF MUD IS TRACKED FROM VEHICLES OFF THE CONSTRUCTION SITE
17. THE CONTRACTOR/ENGINEER/OWNER SHALL PROVIDE ASBUILT ENGINEERING PLANS FOR SANITARY, STREET, STORM SEWERS, AND WATER LINE, AT THE COMPLETION OF CONSTRUCTION. PLANS SHALL BE SUBMITTED IN ELECTRONIC FORM TO THE CITY OF DAYTON
18. SURVEY MONUMENTS SHALL BE SET AT THE COMPLETION OF THE CONTRACT, AND A LETTER CERTIFYING THAT THE WORK WAS DONE SHALL BE PROVIDED TO THE CITY ENGINEER.

1. PARKING SHALL NOT BE PERMITTED ON THE SIDE OF THE "SIRELY" WHERE FIRE HYDRANTS ARE INSTALLED.
2. LOTS SHALL BE GRADED SO AS TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE AROUND THE LOT SHALL NOT BE SHALLOWER THAN THE GRADE OF THE STREET.
3. BE ADVISED: A SUBSURFACE DRAINAGE SYSTEM MAY EXIST ON THIS SITE. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRAIN PIPES OR TILES ENCOUNTERED IN THE FIELD AND IF DAMAGED, REPAIR OR REPLACE THEM IMMEDIATELY WITH THE SAME SIZE AND QUALITY OF MATERIALS AS FOUND. ALL DRAINAGE TILES ENCOUNTERED IN THE FIELD SHALL BE CONNECTED TO THE STORM SEWER SYSTEM AT A STRUCTURE.

1. THE CONTRACTOR SHALL INCLUDE IN THE UNIT PRICE BID FOR ITEM 603, ALL TRENCHING, EXCAVATION AND BACKFILLING PER STANDARD DRAWING STR-15, AND THE REMOVAL AND DISPOSAL OF BRUSH, TREES, STUMPS ETC. WITHIN THE AREA OF EXCAVATION OF THE TRENCH, UNLESS BID IN ITEM 203.
2. THE PROPOSED ELEVATIONS AND LOCATIONS OF INLETS, CATCH BASINS, AND PIPES, AND THE ESTIMATED LENGTHS OF PIPES, MAY BE ADJUSTED BY THE COUNTY ENGINEER DURING THE ENTIRE IMPROVEMENT OF THIS PROJECT. BASIS OF ADJUSTMENT FOR POSSIBLE ADJUSTMENTS SHALL BE INCLUDED IN THE UNIT PRICE BID FOR VARIOUS STORM SEWERS TO BE ADJUSTED.
3. UNLESS OTHERWISE NOTED ON THE PLANS, ALL STORM SEWERS SHALL BE AS HEREAFTER SPECIFIED:
 - a. ALL SIZES OF STORM SEWER LOCATED WITHIN THE RIGHT-OF-WAY SHALL BE TYPES "A" OR "B" CONDUIT (0007 706.02).
 - b. STORM SEWERS LOCATED OUTSIDE OF THE RIGHT-OF-WAY SHALL BE TYPE "C" CONDUIT (0007 706.02) OR POLYPROPYLENE COMPLYING WITH 0007 707.65 OR 707.69
 - c. ALL TYPE "A", "B", AND "C" CONDUIT SHALL HAVE JOINTS, PER 0007 706.11 AND SHALL USE TYPE C BITUMINOUS PIPE JOINT FILLER.
4. GRANULAR BEDDING SHALL BE PROVIDED FOR ALL TYPE "A" AND "B" CONDUIT PER 0007 703.11.
5. ALL PIPES OUTSIDE THE RIGHT-OF-WAY SHALL HAVE A COVER OF 1.5 FEET MINIMUM. WHEREVER THIS IS NOT THE CASE, EMBANKMENT SHALL BE PLACED TO PROVIDE A MINIMUM COVER PRIOR TO THE INSTALLATION OF THE STORM SEWER.
6. OPENINGS SHALL BE PROVIDED IN THE DRAINAGE STRUCTURES TO ACCOMMODATE UNDERDRAIN OUTLETS. ANY CORING NECESSARY SHALL BE INCLUDED WITHIN THE COST OF THE UNDERDRAIN. UNDERDRAINS TO BE CONSTRUCTED IN ACCORDANCE WITH THE PLAN SPECIFICATIONS.
7. WHERE PLASTIC PIPE (HDPE) IS USED FOR STORM SEWERS TO BE PLACED ON DRAINAGE MAINTENANCE, 100% OF THE PIPE SHALL BE MANDRELLED 30 DAYS AFTER INSTALLATION. ALL PLASTIC PIPE FAILING THE MANDREL TEST SHALL BE RETESTED AND/OR REPLACED PER THESE STANDARDS AND SUPPLEMENTAL SPECIFICATIONS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF BRUSH, TREES, STUMPS, ETC. WITHIN THE AREA OF EXCAVATION OF THE TRENCH.
9. THE CONTRACTOR SHALL REFER TO THE UTILITY PLAN AND PROFILE SHEETS TO DETERMINE CRITICAL UTILITY CROSSINGS.
11. IN PAVEMENT, SIDEWALK, AND UTILITY CROSSING AREAS THE BACKFILL SHALL BE COMPACTED GRANULAR MATERIAL PER 0007 ITEM 304, AND ALL OTHER REMAINING AREAS SHALL BE BACKFILLED PER 0007 ITEM 603.11.

1. EXCAVATION AND EMBANKMENT SHALL COMPLY WITH ODOT ITEM 203 AND ODOT SUPPLEMENTAL SPECIFICATIONS.
2. THE CONTRACTOR'S BID SHALL BE COMPREHENSIVE AND INCLUDE ALL LABOR AND EQUIPMENT TO COMPLETE ALL EXCAVATION, FILL AND GRADING IN ACCORDANCE WITH THE APPROVED ENGINEERING PLANS AND SPECIFICATIONS.
3. EXCAVATION AND EMBANKMENT QUANTITIES DO NOT INCLUDE ANY PROVISION FOR UNDERCUTTING, FOOTINGS, OR UNDESIRABLE MATERIAL.
4. AFTER THE TOPSOIL IS REMOVED, PROFFROLL THE PAVEMENT AND BUILDING AREA SUBGRADE TO BE FILLED. SOFT AREAS SHOULD BE UNDERCUT AND STABILIZED PRIOR TO FILLING OPERATIONS. RELATIVE DEPTH OF UNDERCUT WILL BE DETERMINED WHEN SOFT AREAS ARE DISCOVERED. THE UNION COUNTY ENGINEER SHALL DETERMINE THE DEPTH AND EXTENT OF THE UNDERCUT.

1. ALL MATERIALS AND WORKSMANSHIP FOR UNDERDRAINS SHALL COMPLY WITH ODOT ITEM 605.
2. UNDERDRAINS SHALL BE INSTALLED AND BACKFILLED TO SUBGRADE ELEVATIONS IMMEDIATELY PRIOR TO THE CONSTRUCTION OF SUBGRADE. PROPOSED ELEVATIONS SHALL BE SHOWN ON THE SUBSURFACE MAP. WHERE SUBSURFACE CONDITIONS ARE SUCH THAT IMPROVEMENT OF UNSTABLE SUBGRADE CAN BE ACCOMPLISHED THROUGH DRYING OR STABILIZATION, THE CONTRACTOR MAY AUTHORITY OR REQUIRE THE CONTRACTOR TO DELAY CONSTRUCTION OF THE SUB-BASE AS NECESSARY.
3. IMMEDIATELY PRIOR TO THE CONSTRUCTION OF CURBS, THE MATERIAL LOCATED ABOVE AND WITHIN THE EXCAVATED AREA SHALL BE EXPOSED TO A DEPTH OF 18" TO EXPOSE CLEAN #6 OR #57 STONE. BACKFILL THE EXCAVATED AREA WITH CLEAN #6 OR #57 STONE.
4. REINFORCED ENDS SHALL BE PROVIDED FOR THE EXPOSED ENDS OF ALL UNDERDRAIN OUTLETS, IF THE EXPOSED ENDS ARE AT OR NEAR A STREET, DRIVE, HIGHWAY, GATE, RAILROAD OR MANHOLES. THE LAST 10 FEET OF UNDERDRAIN SHALL BE TYPE "T" WHEN OUTLETTING IN DITCH.

1. DURING CONSTRUCTION AND PRIOR TO ACCEPTANCE OF ANY PUBLIC IMPROVEMENTS, THE OWNER/DEVELOPER SHALL REMOVE OR CAUSE TO BE REMOVED ALL REFUSE, RUBBISH, UNWANTED MATERIALS, EXCESS EARTH, FILL, DEBRIS, AND EXCESS MATERIALS FROM THE PROJECT AREA. MATERIALS NOT TO BE USED IN THE PROJECT AS THEY WERE DEPOSITED, LEFT OR RESULTED FROM THE CONSTRUCTION OF IMPROVEMENTS OF ANY NATURE WITHIN THE DEVELOPMENT. SUCH REMOVAL SHALL TAKE PLACE WITHIN TWENTY-FOUR (24) HOURS AFTER BEING NOTIFIED BY THE COUNTY ENGINEER THAT SUCH WORK IS REQUIRED, AND SHALL BE COMPLETED TO THE SATISFACTION OF THE COUNTY ENGINEER.
2. THIS WORK SHALL BE PERFORMED IN A MANNER WHICH PREVENTS EROSION AS WELL AS PREVENTS STORM WATER FROM ACCUMULATING OR PONDING ON THE SITE. THE WORK SHALL ALSO BE PERFORMED IN A MANNER THAT PREVENTS EROSION AND STORM WATER FROM ACCUMULATING OR PONDING ON ADJACENT PROPERTIES. A SIX-INCH OVERLAY OF TOPSOIL SHALL BE PROVIDED AND SHALL BE SEEDED PER ODOT STANDARD SPECIFICATIONS.
3. THE RECONSTRUCTION AREAS TO BE IN AN EQUAL OR BETTER CONDITION THAN THAT EXISTING PRIOR TO COMMENCEMENT OF CONSTRUCTION TO THE SATISFACTION OF THE COUNTY ENGINEER.

SEE THE INCLUDED SWPPP SHEETS FOR EROSION CONTROL REQUIREMENTS AND NOTES THAT APPLY TO THIS PROJECT

1. ANTI-SEEP COLLARS ARE REQUIRED FOR ALL RETENTION/DETENTION POND OUTLETS. A MINIMUM OF TWO COLLARS ARE REQUIRED. COLLARS MUST BE CONSTRUCTED (EXCAVATED) A MINIMUM OF 3.0' INTO UNDISTURBED SOIL ON ALL THREE SIDES. CLASS C CONCRETE PER CURRENT ODOT SUPPLEMENTAL SPECIFICATIONS SHALL BE USED FOR REPLACEMENT OF THE EXCAVATED MATERIAL. THE COLLARS MUST BE A MINIMUM OF 8 INCHES THICK.
2. A CLAY CORE OF SUFFICIENT THICKNESS IS REQUIRED FOR ALL DETENTION AND RETENTION PONDS IN CUT AREAS. THE COUNTY ENGINEER SHALL FIELD APPROVE THE CORE THICKNESS OR THE CONDITION OF THE EXISTING SOILS AS A SUBSTITUTE FOR A CLAY CORE (E.G., EXISTING CLAY MATERIAL).
3. TREES AND LANDSCAPING SHALL NOT BE PERMITTED ON EMBANKMENT SURFACES

1. COMPLETELY STRIP SURFACE VEGETATIVE COVER, TOPSOIL AND ROOT MAT TO EXPOSE STABLE NATURAL SOILS

NATURAL SOILS ARE ANTICIPATED TO CONSIST OF BROWN SILTY CLAY/CLAY-SILT, LITTLE FINE TO COARSE SAND, TRACE GRAVEL (GLACIAL TILL). TOPSOIL CAN BE USED IN LANDSCAPING OR AS FILL IN BORROW PIT OR OTHER NON-STRUCTURAL AREAS. CARE SHOULD BE TAKEN NOT TO EXPOSE THE STRAINED CLAY MATERIAL UNLESS REQUIRED TO DO SO TO AVOID DAMAGE TO THE EXISTING SUBGRADE.

ONCE STRIPPING HAS BEEN APPROVED, PROOF-ROLL TO THE STATED SUBGRADES PRIOR TO PLACEMENT OF FILL UNDERCUT ANY SOFT SOILS ENCOUNTERED AND BACKFILL WITH COMPACTED MATERIAL TO A STABLE SURFACE, OR TO THE EXISTING SUBGRADE IF THE EXISTING SUBGRADE IS FOUND TO BE A STABLE SURFACE. EXCESSIVE SETTLEMENT CAN BE CONSIDERED UNDER CERTAIN CONDITIONS TO HELP STABILIZE SUBGRADES, IF REQUIRED.

NATURAL NON-ORGANIC SOILS ARE ACCEPTABLE FOR USE AS STRUCTURAL FILL. SUITABLE MATERIAL SHOULD BE AVAILABLE FROM THE FIELD AND EXCESS MOISTURE ADJUSTMENT MAY BE NECESSARY, DEPENDING ON THE FIELD CONDITIONS.

IF THE CONDITION OF THE EARTHWORK ANY OFF-SITE BORROW SHOULD BE REVIEWED BY A GEOTECHNICAL ENGINEER PRIOR TO ITS USE.

PLACE FILL IN 8 IN LOOSE LIFTS AND COMPACT TO 95% OF THE OPTIMUM STANDARD PROCTOR DENSITY. IF THE FIELD DENSITY IS NOT ACHIEVED, THE OPTIMUM STANDARD PROCTOR DENSITY SHOULD BE REPRODUCED.

MOISTURE CONTROL. THE SITE SOILS WILL GENERALLY COMPACT BEST WITH A SHEEPSFOOT ROLLER. DENSITY COMPACTION TESTING SHOULD BE PERFORMED ON EACH LIFT, WITH THE SUCCESSIVE LIFT NOT PLACED UNTIL THE PREVIOUS LIFT HAS BEEN PROVED.

ANY BASIN FILL PERFORMED WITHIN THE RIGHT-OF-WAY OR PUBLIC UTILITY EASEMENTS SHALL COMPLY WITH ODOT CSM ITEM 203, EMBANKMENT, AND ALL DCEO SPECIFICATION SPECIFICATIONS THERETO.

ELECTRIC:
UNION RURAL ELECTRIC
15461 U.S. HIGHWAY 36
MARYSVILLE, OH 43040
(937) 642-1826

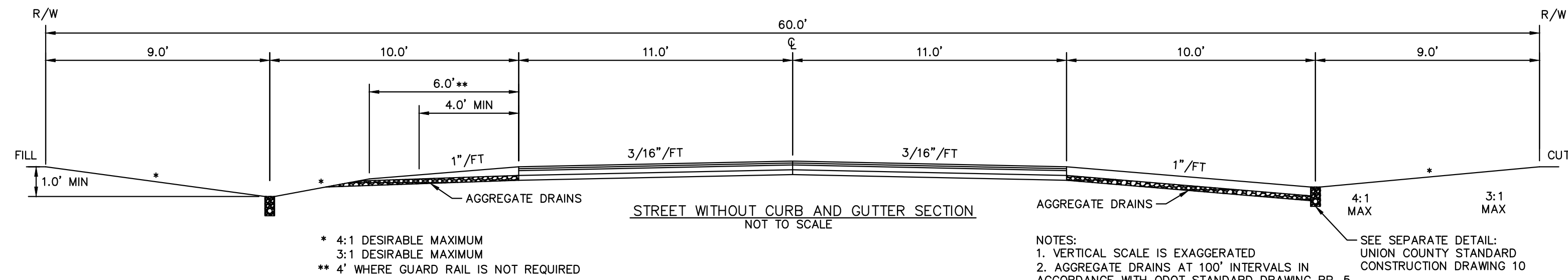
CABLE:
CHARTER SPECTRUM
3691 TURNER RD.
DAYTON, OH 45415
(614) 481-5263
(614) 425-7384

PHONE:
FRONTIER
19 E. CENTRAL AVE. #1944
DELAWARE, OH 43015
(740) 383-0686
(918) 295-7156

GAS:
COLUMBIA GAS OF OHIO
1600 DUBLIN ROAD
COLUMBUS, OH 43215

1. THE LOCATION, OPERATION, AND MAINTENANCE OF EACH WELL OR ANY OTHER PRIVATE WATER SYSTEM (PWS) SHALL BE PROPERLY MAINTAINED AND OPERATED ACCORDING TO THE REQUIREMENTS OF CHAPTER 3701-28-07 OF THE OHIO ADMINISTRATIVE CODE (OAC).
2. A PRIVATE WATER SYSTEM SHALL BE LOCATED ONLY WHERE THE SYSTEM AND ITS SURROUNDINGS CAN BE MAINTAINED IN A SANITARY CONDITION, AND ONLY WHERE SURFACE AND SUBSURFACE CONDITIONS WILL NOT PRESENT AN OBSTACLE TO THE PRIVATE WATER SYSTEM OR ACQUIFERS. A PWS SHALL BE LOCATED THE MAXIMUM PRACTICAL DISTANCE FROM A KNOWN OR SUSPECTED SOURCE OF CONTAMINATION, AND SHALL BE LOCATED SO THAT IT IS ACCESSIBLE FOR CLEANING, TREATMENT, REPAIR, ALTERATION, TESTING, AND SUCH OTHER ATTENTION AS MAY BE NECESSARY.
3. WHEN A REPLACEMENT PWS OR A PUBLIC WATER SUPPLY SYSTEM IS INSTALLED THE WELL THAT IS NOT PROVIDING THE PRIMARY SOURCE OF WATER SHALL BE SEALED PURSUANT TO THE PROVISIONS OF THIS RULE WITHIN THIRTY DAYS, UNLESS CERTAIN CONDITIONS WITHIN 3701-28-17 OF THE OAC CAN BE MET.
4. THE SEWAGE TREATMENT SYSTEMS (STS) SHOWN CONFORM TO THE REGULATIONS OF THE BOARD OF HEALTH OF THE UNION COUNTY GENERAL HEALTH DISTRICT'S SEWAGE TREATMENT SYSTEM RULES PART (CHAPTER) 3701-29.
5. THE OWNERS, THEIR SUCCESSORS, HEIRS OR ASSIGNS OF THE HEREIN DELINEATED LOTS AGREE THAT THE CENTRAL SEWER SEWAGE SYSTEM BECOMES AVAILABLE. SAID LOT SHALL BE CONNECTED TO SAID CENTRAL SEWER. A CANCESSMENT OF TITLE TO A DELINEATED LOT FOR THE SUBDIVISION SHALL CONSTITUTE WAIVER OF FURTHER NOTICE OF HEARING ON THIS REQUIREMENT. THIS COVENANT SHALL BE INCLUDED IN CONVEYANCE OF TITLE FOR SAID LOT(S). ALL FEES AND COST ASSOCIATED WITH THE CONNECTION TO CENTRAL SEWER ARE THE RESPONSIBILITY OF THE HOMEOWNER AT THE TIME OF THE INSTALLATION AND CONNECTION.
6. A DESIGN OR LAYOUT PLAN NEEDS TO BE APPROVED BY UNION COUNTY HEALTH DEPARTMENT PRIOR TO PERMITTING.
7. PRIOR TO ANY ADDITIONAL BUILDINGS ON THE SITE, THE OWNER MUST COORDINATE WITH THE UNION COUNTY HEALTH DEPARTMENT TO DETERMINE THAT THE APPROVED ONSITE STS LOCATIONS (PRIMARY AND SECONDARY) ARE NOT IN CONFLICT WITH THE OWNERS DESIRED CONSTRUCTION AND OR EXCAVATION PLANS.
8. DEPENDING ON THE STS TYPE CHOSEN AND THE FINAL HOUSE/PLUMBING/ELECTRICAL, A DOSING TANK/PUMP MAY BE REQUIRED FOR DELIVERING SEWAGE EFFLUENT TO THE SEWAGE TREATMENT SYSTEM AREAS.

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PRELIMINARY ENGINEERING PLAN FOR AVONDALE STATE ROUTE 736 PLAIN CITY, OHIO 43084	
ORIGINAL ISSUE:	3/17/2025
KHA PROJECT NO.	190363000
SHEET NUMBER	

ORIGINAL ISSUE:
5/17/2005

KHA PROJECT NO
190363000

SHEET NUMBER

3

OF 10

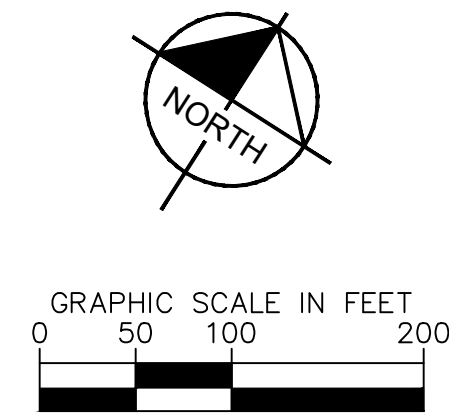
TYPICAL SECTIONS

SCALE: AS NOTED
DESIGNED BY: NSS
DRAWN BY: JDW
CHECKED BY: NSS

Kimley»»Horn

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7965 N. HIGH STREET, SUITE 200,
COLUMBUS, OH 43235
PHONE: 614-454-6699
WWW.KIMLEY-HORN.COM

No.	REVISIONS	DATE	BY
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	EXISTING PROJECT BOUNDARY LINE
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING PAVEMENT
	EXISTING CENTERLINE
	EXISTING EASEMENT
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	EXISTING DRIVEWAY
	EXISTING BUILDING/STRUCTURE
	EXISTING STORM SEWER PIPE
	EXISTING STORM SEWER INLET/CATCH BASIN
	EXISTING SANITARY SEWER PIPE
	EXISTING WATER LINE
	EXISTING WATER VALVE
	EXISTING OVERHEAD LINE
	EXISTING FENCE LINE
	EXISTING TELECOM BOX
	EXISTING POWER POLE
DND	DO NOT DISTURB
TBR	TO BE REMOVED

Ag - ALGIERS SILT LOAM

BglA1 - BLOUNT SILT LOAM, GROUND MORAIN, 0 TO 2 PERCENT SLOPES

CrA - CROSBY SILT LOAM, SOUTHERN OHIO TILL PLAIN, 0 TO 2 PERCENT SLOPES

FoB - FOX SILT LOAM, TILL PLAIN, 2 TO 6 PERCENT SLOPES

GwgB1 - GLYNWOOD SILT LOAM, GROUND MORAIN, 2 TO 6 PERCENT SLOPES

GwgB2 - GLYNWOOD SILT LOAM, GROUND MORAIN, 2 TO 6 PERCENT SLOPES, ERODED

GwgSC2 - GLYNWOOD CLAY LOAM, GROUND MORAIN, 6 TO 12 PERCENT SLOPES, ERODED

MIF2 - MIAMI SILT LOAM, 18 TO 35 PERCENT SLOPES, MODERATELY ERODED

Ro - ROSS SILT LOAM

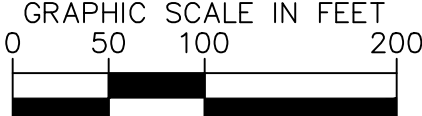
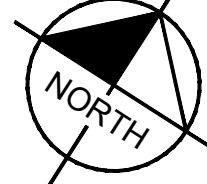
So - SLOAN SILTY CLAY LOAM, 0 TO 1 PERCENT SLOPES, FREQUENTLY FLOODED

W - WATER

Wc - WESTLAND SILTY CLAY LOAM

[illegible]

Drawing name: K:\CB_LDEV\190363000_Sov Real Estate_Jerome_OA\2 Design\CAD\PlanSheets\Preliminary Engineering Plan Site Plan.dwg 5 SITE PLAN Mar 20, 2025 9:50am by: Jacob Wentz
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LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACK
- PROPOSED CENTERLINE
- PROPOSED FACE OF CURB
- PROPOSED SIDEWALK
- PROPOSED FENCE

LINE TABLE		
LINE	LENGTH	BEARING
L1	259.51	S45°38'42.11"W
L2	171.49	S29°22'04.22"W
L3	122.42	S74°52'26.94"W
L4	548.59	N57°22'13.02"E
L5	366.90	N27°26'13.96"W
L6	386.65	N17°45'19.15"W
L7	324.16	N32°33'20.19"W
L8	180.73	S45°38'03.89"E
L9	287.31	S17°20'09.08"E
L10	96.26	S32°37'46.98"E
L11	135.12	S84°52'28.83"E
L12	143.65	S2°18'09.66"E

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	300.00'	85.23'	S37°30'23"W	84.94'	16°16'38"	42.90'
C2	300.00'	238.27'	S52°07'16"W	232.06'	45°30'23"	125.82'
C3	300.00'	91.65'	S66°07'20"W	91.29'	17°30'14"	46.18'
C4	150.00'	222.03'	S14°58'00"W	202.31'	84°48'27"	136.99'
C5	300.00'	50.69'	S22°35'47"E	50.63'	9°40'55"	25.41'
C6	300.00'	77.49'	S25°09'20"E	77.28'	14°48'01"	38.96'
C7	300.00'	148.17'	S31°29'06"E	146.67'	28°17'55"	75.63'
C8	150.00'	136.78'	S58°45'08"E	132.09'	52°14'42"	73.56'
C9	200.00'	288.23'	S43°35'19"E	263.93'	82°34'19"	175.62'
C10	300.00'	349.90'	S35°42'56"E	330.40'	66°49'33"	197.91'

PRELIMINARY ENGINEERING PLAN
FOR
AVONDALE

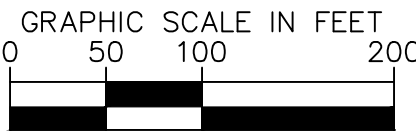
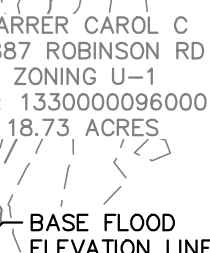
ORIGINAL ISSUE:
3/17/2025
KHA PROJECT NO.
190363000
SHEET NUMBER
5

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COLUMBUS, OH 43235
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SCALE: AS NOTED
DESIGNED BY: NSS
DRAWN BY: JDW
CHECKED BY: NSS

DATE: _____
BY: _____

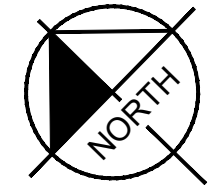
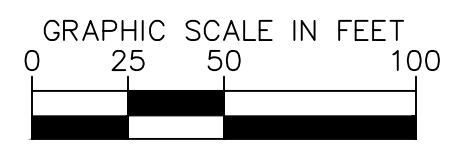
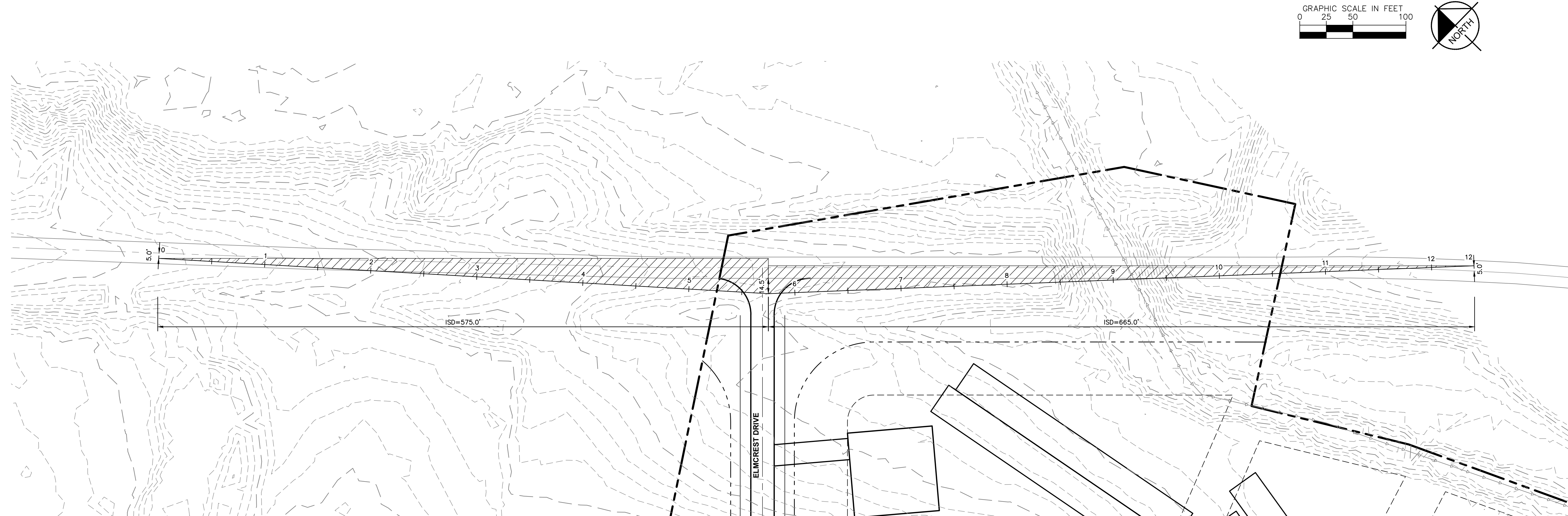


	EXISTING PROPERTY BOUNDARY
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING INTERMEDIATE CONTOUR
	EXISTING INDEX CONTOUR
	EXISTING VEGETATION
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED SETBACK
	PROPOSED CENTERLINE
	PROPOSED FACE OF CURB
	PROPOSED SIDEWALK
	PROPOSED FENCE
	PROPOSED UNDERGROUND ELECTRIC
	PROPOSED GAS LINE
	PROPOSED STORM SEWER PIPE
	PROPOSED CATCH BASIN
	PROPOSED HEADWALL
	PROPOSED STORM MANHOLE
	PROPOSED WELL LOCATION
	EXISTING FLOODWAY

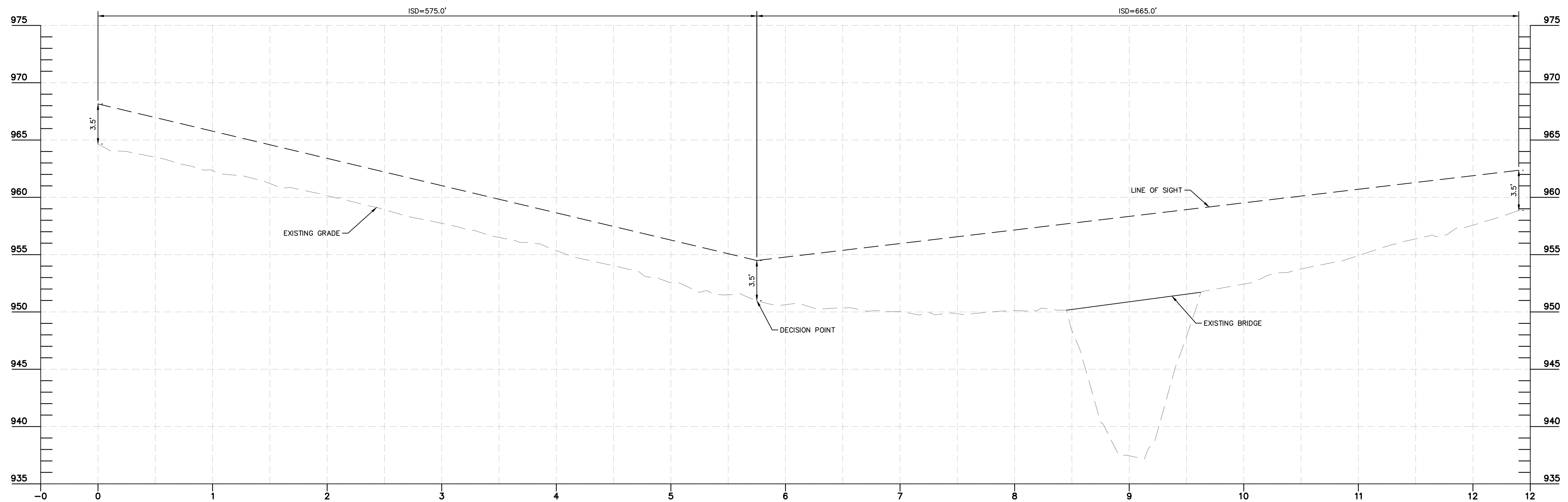
1. ALL SHOWN PROPOSED WELL LOCATIONS MEET THE REQUIRED 50' SETBACK FROM THE SHOWN SEPTIC FOOTPRINTS
2. ALL GAS AND ELECTRIC SERVICE LINES TO EACH INDIVIDUAL DWELLING SHALL NOT INTERFERE WITH THE INDICATED WELL/SEPTIC LOCATIONS AND SHALL MEET ALL REQUIRED SETBACKS AS SET FORTH IN THE OAC 3701-28 & OAC 3701-29
3. THERE SHALL BE NO PERMANENT STRUCTURES OR PLANTINGS, ETC. PERMITTED IN EASTMEAD AREA
4. ADDING/REMOVING LOTS OR CHANGING THE RIGHT-OF-WAY WILL REQUIRE AN AMENDED PRELIMINARY PLAT.

PRELIMINARY ENGINEERING PLAN

Drawing name: K:\GIB_LDEV\190363000_50w Real Estate_Jerome_OA\2 Design\CAD\PlanSheets\Preliminary Engineering Plan\Sight Distance Exhibit.dwg Mar 20, 2025 9:12am by Jacob Wentz
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**OH STATE ROUTE 736 / ELMCREST DRIVE
SIGHT DISTANCE PLAN**
SPEED LIMIT=55 MPH
DESIGN SPEED=60 MPH



**OH STATE ROUTE 736 / ELMCREST DRIVE
SIGHT DISTANCE PROFILE**
SCALE H:1"=50' ; V:1"=5'

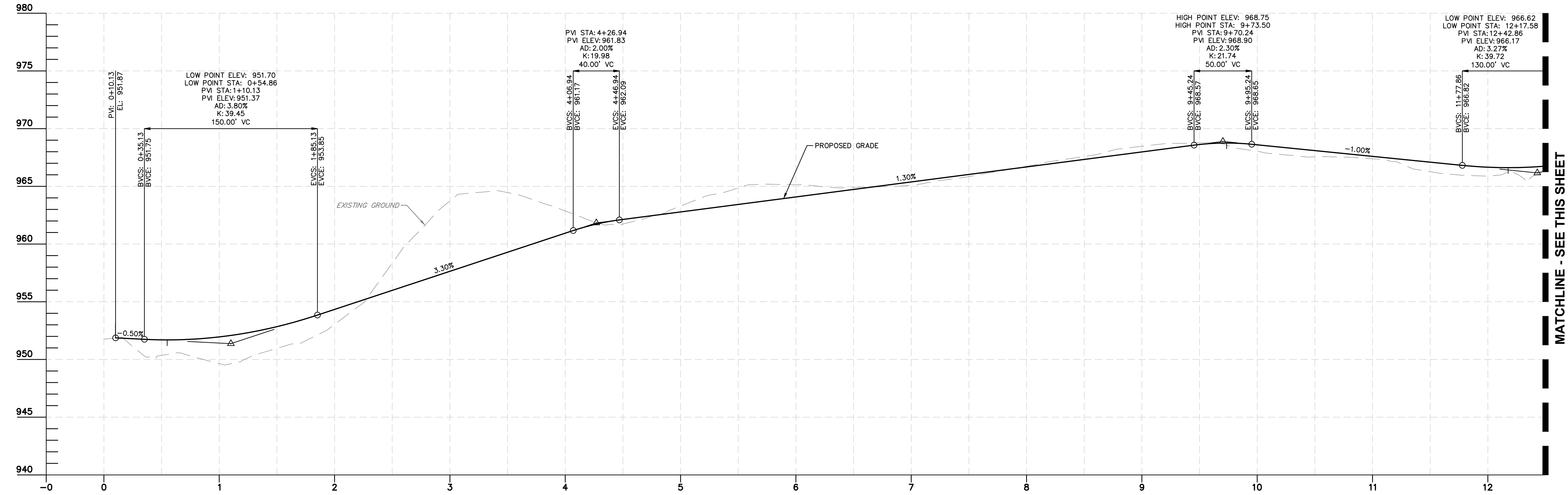
NOTES

- DESIGN SPEED: 60 MPH
- INTERSECTION SIGHT DISTANCE (LEFT TURN): 665 FT
- INTERSECTION SIGHT DISTANCE (RIGHT TURN): 575 FT

PRELIMINARY ENGINEERING PLAN FOR AVONDALE STATE ROUTE 736 PLAIN CITY, OHIO 43064		SIGHT DISTANCE EXHIBIT		Kimley»Horn © 2025 KIMLEY-HORN AND ASSOCIATES, INC. 7965 N. HIGH STREET, SUITE 200, COLUMBUS, OH 43235 WWW.KIMLEY-HORN.COM		No.	REVISIONS	DATE	BY
ORIGINAL ISSUE: 3/17/2025		DESIGNED BY: NSS		SCALE: AS NOTED					
KHA PROJECT NO. 190363000		DRAWN BY: JDW		CHECKED BY: NSS					
SHEET NUMBER 7 OF 10									

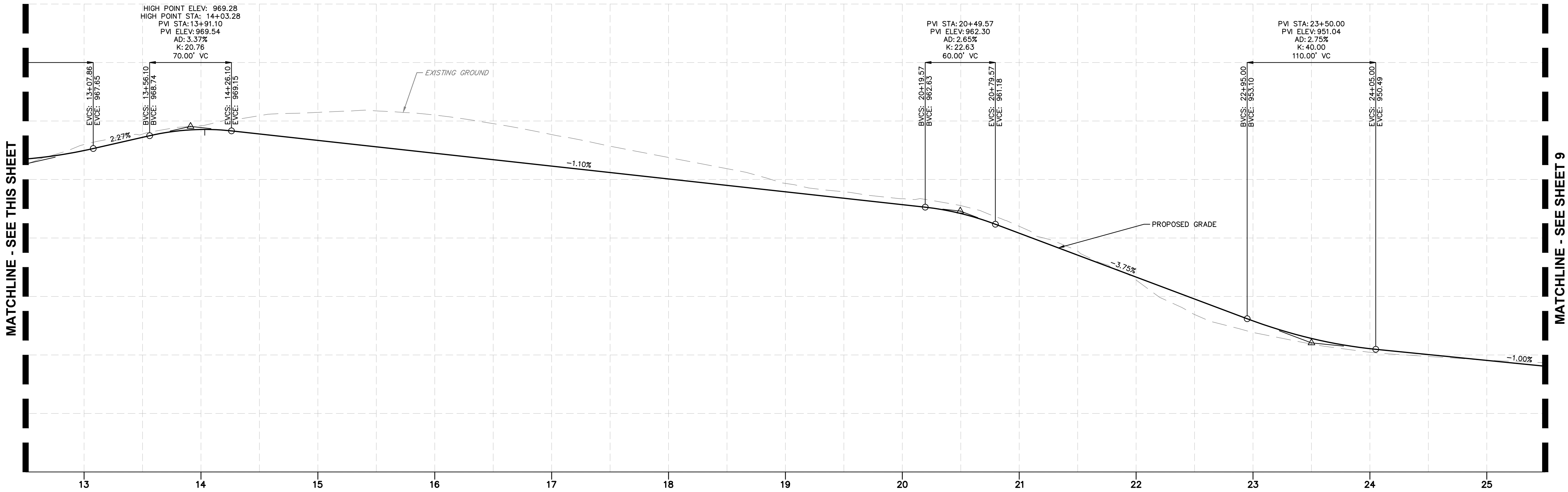
Drawing name: K:\GEB_LDEV\190363000_300_Rev Real Estate_Jerome_OHA\3_Design\CAD\PlanSheets\Preliminary Engineering Plan\Street Profiles.dwg 8 STREET PROFILES Mar 20, 2025 9:12am By: Jacob Wentz

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ELMCREST DRIVE PROFILE STA 0+00.00 TO 12+50.00

SCALE: H: 1"=50' V: 1"=5'
DESIGN SPEED=25

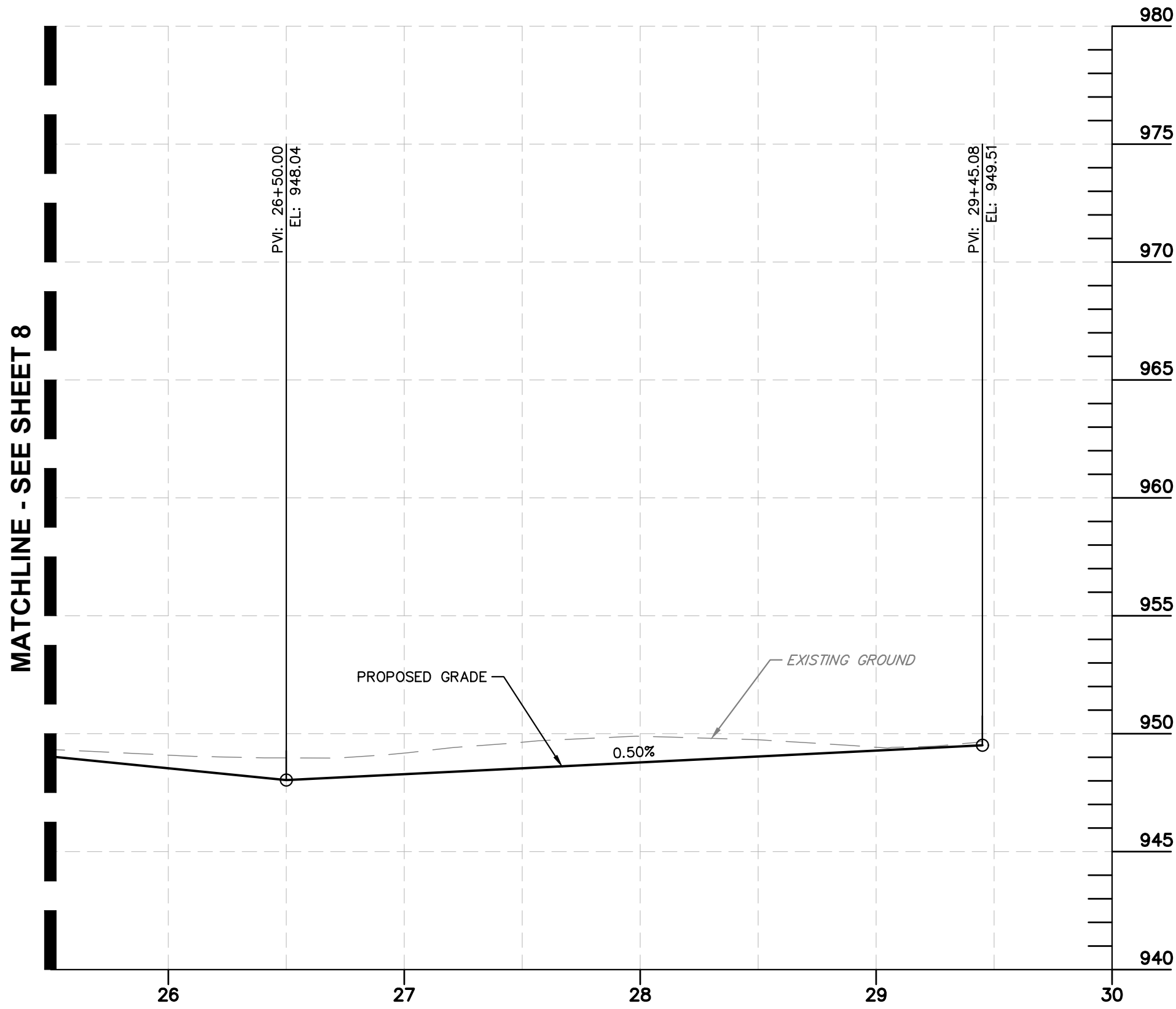


ELMCREST DRIVE PROFILE STA 12+50.00 TO 25+50.00

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DESIGN SPEED=25

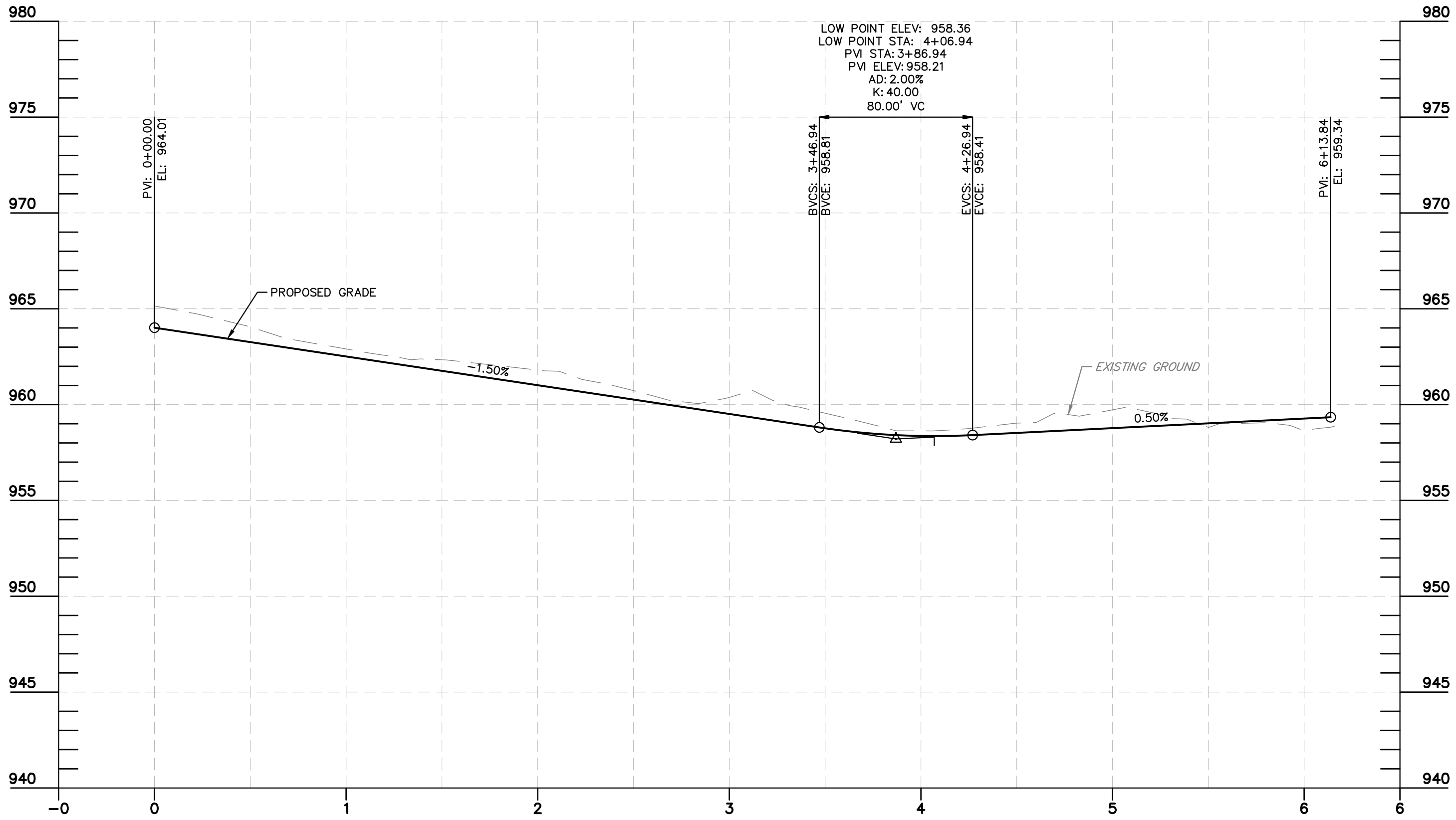
PRELIMINARY ENGINEERING PLAN FOR AVONDALE STATE ROUTE 736 PLAIN CITY, OHIO 43064	STREET PROFILES	SCALE: AS NOTED DESIGNED BY: NSS DRAWN BY: JDW CHECKED BY: NSS	Kimley»Horn © 2025 KIMLEY-HORN AND ASSOCIATES, INC. 7965 N. HIGH STREET, SUITE 200, COLUMBUS, OH 43235 614.461.1000 WWW.KIMLEY-HORN.COM																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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Drawing name: K:\GEB_LDEV\190363000_Sov Real Estate_Jerome_OA\2 Design\CAD\PlanSheets\Preliminary Engineering Plan\Street Profiles.dwg 9 STREET PROFILES Mar 20, 2025 9:12am By: Jacob Wentz
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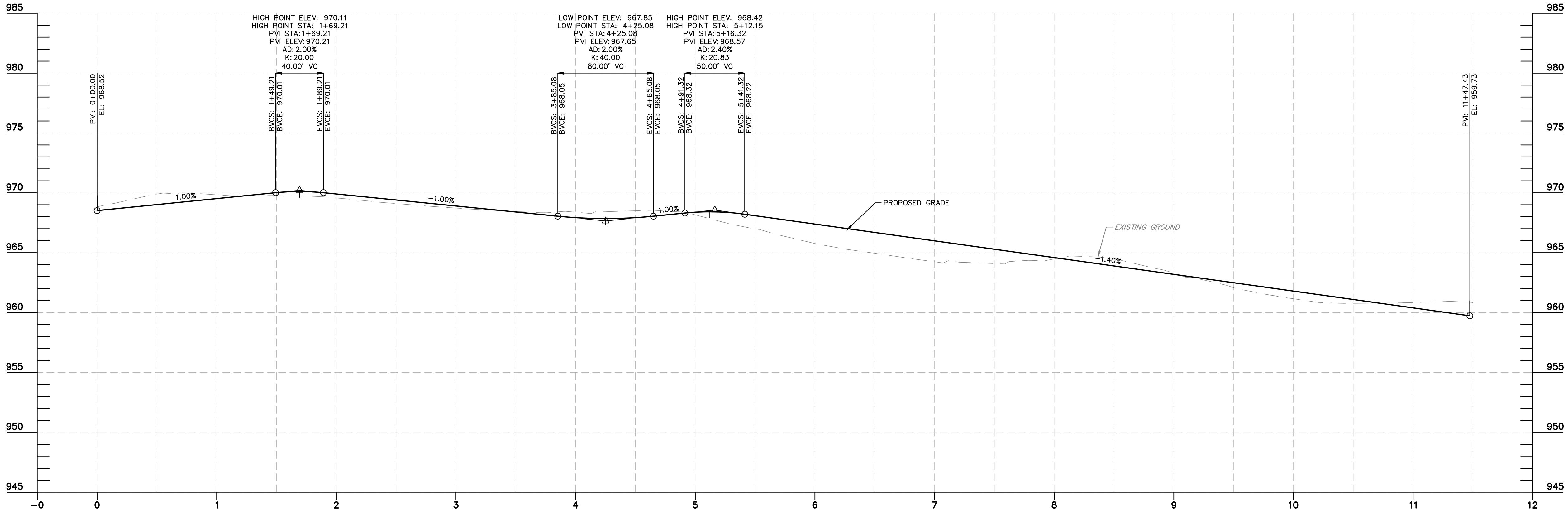
ELMCREST DRIVE PROFILE STA 25+50.00 TO 30+00.00

SCALE: H: 1"=50' V: 1"=5'
DESIGN SPEED=25



BROOKS CIRCLE PROFILE STA 0+00.00 TO 6+50.00

SCALE: H: 1"=50' V: 1"=5'
DESIGN SPEED=25



OAKRIDGE CIRCLE PROFILE STA 0+00.00 TO 12+00.00

SCALE: H: 1"=50' V: 1"=5'
DESIGN SPEED=25

PRELIMINARY ENGINEERING PLAN		STREET PROFILES		No.		REVISIONS		DATE		BY	
FOR											
AVONDALE											
STATE ROUTE 736											
PLAIN CITY, OHIO 43064											
ORIGINAL ISSUE:											
3/17/2025											
KHA PROJECT NO.											
190363000											
SHEET NUMBER											
9											
OF 10											
Kimley»Horn											
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7965 N. HIGH STREET, SUITE 200,											
COLUMBUS, OH 43235											
WWW.KIMLEY-HORN.COM											

Drawing name: K:\CIB_LDEV\190363000_Sov Real Estate_Jerome_OHA\2 Design\CAD\PlanSheets\Preliminary Engineering Plan\E&S.dwg 10 E&S Mar 20, 2025 9:31am by Jacob Wentz
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LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING INTERMEDIATE CONTOUR
- EXISTING INDEX CONTOUR
- EXISTING VEGETATION
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACK
- PROPOSED CENTERLINE
- PROPOSED FACE OF CURB
- PROPOSED SIDEWALK
- PROPOSED FENCE
- PROPOSED STORM SEWER PIPE
- PROPOSED CATCH BASIN
- PROPOSED HEADWALL
- PROPOSED STORM MANHOLE
- PROPOSED SILT FENCE
- PROPOSED INLET PROTECTION

KHA PROJECT NO. 190363000		SHEET NUMBER		ORIGINAL ISSUE: 3/17/2025	
PRELIMINARY ENGINEERING PLAN FOR AVONDALE		STATE ROUTE 736 PLAIN CITY, OHIO 43064		EROSION CONTROL PLAN	
DESIGNED BY: NSS		DRAWN BY: JDW		CHECKED BY: NSS	
SCALE: AS NOTED		DESIGNED BY: NSS		DRAWN BY: JDW	
Kimley»Horn		© 2025 KIMLEY-HORN AND ASSOCIATES, INC. 7965 N. HIGH STREET, SUITE 200, COLUMBUS, OH 43235 WWW.KIMLEY-HORN.COM		REVISIONS	
No.		DATE		BY	

April 2, 2025

Bradley Bodenmiller
LUC Regional Planning Commission Box 219
East Liberty, Ohio 43319

Re: Avondale Preliminary Plat – Soils

Mr. Bodenmiller,

I am working with the developer and Kimley Horn on the approval of the Avondale preliminary plat. We are in receipt of the comments from the LUC staff regarding the possible presence of Algiers or Sloan soils on the site. These soil notations were included on the Existing Conditions page of the preliminary plat in the southeastern corner of the site along Robinson Run. These soil types were pulled from the Web Soil Survey, which documents areas that could possibly have these soils types, which are commonly found within areas with poor drainage and/or in drainage courses.

In this case, we had soil borings completed by Smart Services in these defined areas (specifically lots 3, 4, 5, and 6), which did not find these soil types. These findings were shared with the Union County Health Department as part of their review of the project, which received approval on 3/19/2025.

Below is a short summary of the findings that was emailed to me from Mitchel Strain, PWS, CPSS, CPSC, Director of Environmental Services, Smart Services.

Email dated 3/24/25 from Mitchel Strain to Bart Barok:

I am following up on the soil evaluation and feasibility report that I completed, dated January 23, 2025, for the Avondale project with several lots (No's. 3,4, 5 and 6) mapped with the Algiers and Sloan soil series by the Union County Soil Survey. The typical pedon description for these series is soils formed in recent alluvium on floodplains and have a weakly developed subsoil or B-Horizon. The field investigation I completed did not identify the Algiers or Sloan soil series. The soils I identified and described on the referenced lots had a stronger developed B-Horizon, indicating they were not formed in recent alluvium with no evidence of recent flooding. The Blount series would more

Sox Real Estate - Bart A. Barok
5979 Dublin Road, Delaware, Ohio 43015
bartbarok@gmail.com; C: 614-286-2055

accurately reflect the series I identified. In addition, my conclusion is further supported by the FEMA mapping which does not have the referenced Lots in a flood hazard zone.

It should also be noted that any county soil survey should not be used for site specific development and should only be used as a general planning tool because of the accuracy and map unit size, typically five (5) acres and greater, can provide misleading or inaccurate information.

Lastly, as stated in January 23, 2025 report: "The parcels have sufficient areas for HSTS. The specific HSTS has not been determined but could include drip, conventional, conventional with raised bed or engineered mound. Copies of this letter, soil profile description, and aerial mapping should be submitted to the Union County Health Department (UCHD) for their approval."

Mitchel Strain

We would gladly make the full 66-page Smart Services report available to the LUC staff or Union County Engineer. In addition, after the lots are constructed, each home builder will be required to submit detailed plans for the water and septic systems that will be reviewed by the Union County Health Department.

Mitchel is available to discuss this in further detail and I would be happy to schedule a call, if needed.

Thanks,

A handwritten signature in black ink, appearing to read 'B. Barok', with a stylized, cursive flourish extending to the right.

Bart A. Barok
Sox Real Estate

Brad Bodenmiller

From: Luke Sutton <lsutton@unioncountyohio.gov>
Sent: Friday, April 4, 2025 1:39 PM
To: Brad Bodenmiller
Subject: RE: Avondale - Preliminary Plat - Layout & Design

Yes, both the variance and the layout are approved

Luke Sutton, PE
Union County Engineer
233 West Sixth Street
Marysville, OH 43040
Ph: (937) 645-3168
lsutton@unioncountyohio.gov



From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Friday, April 4, 2025 12:51 PM
To: Luke Sutton <lsutton@unioncountyohio.gov>
Subject: Avondale - Preliminary Plat - Layout & Design

Luke,

Is the layout and design of the lots, streets, and other improvements for **Avondale – Preliminary Plat** approved?

I understand the variance, from the Union Co (U) Board of Commissioners, for the through lot of Lot 18 was approved as well?

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



9777 Industrial Parkway
Plain City, Ohio 43064
614-873-4480

Jerome Township Zoning Department

March 28, 2025

Bradley J. Bodenmiller, Director
LUC Regional Planning Commission
10820 St. Rt. 347
East Liberty, Ohio 43319

Re.: Avondale – Preliminary Plat

Dear Mr. Bodenmiller,

I have received your notification of application for approval of the preliminary plat known as Avondale – Preliminary Plat. Based on the provisions of the Township Zoning Resolution, my comments are as follows:

- 1) The site is zoned Rural Residential District (RU) The lots, as proposed, generally comply with the applicable regulations for lot size, including regulations for minimum lot width and minimum lot area provided for in the Township Zoning Resolution for that District.
- 2) Corner lots, as defined in Chapter 300 of Zoning Resolution, should be interpreted as having two front yards, two side yards, and no rear yard. Based on that definition, the setbacks labels on lot #1 is drawn correctly but labelled incorrectly. In addition, there should be no rear yard setback on lot #18. The side lot lines within the portion of the proposed lot located within Jerome Township should have a 20ft side yard setback applied.
- 3) Lot #1 was drawn in a way that shows some fee-simple right-of-way and some existing easement for highway purposes. While sheet #5 has been corrected slightly, the information on that sheet no longer matches the ROW width indicated on sheet 4. The ROW line of lot #1 that parallels SR 736 should be the same line as the currently existing highway easement, unless ODOT is allowing a lesser ROW width.

As per usual practice, I plan to attend the meeting of the Commission's Zoning & Subdivision Committee and will be available to answer any additional questions at that time.

Sincerely,

Eric Snowden
Zoning Inspector/Planning Coordinator
Jerome Township, Union County, Ohio

Brad Bodenmiller

From: Chad Green <cgreen@marysvilleohio.org>
Sent: Monday, March 31, 2025 8:00 AM
To: Brad Bodenmiller
Cc: Kyle Hoyng
Subject: April LUC Comments

Below are the City's Comments for the April LUC submissions.

Avondale Preliminary Engineering Plan

- No comments. The project is outside the City of Marysville Service Area

Curry Farms Phase 1 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Curry Farms Phase 2 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Chad Green, P.E.

Assistant City Engineer
City of Marysville, Ohio
209 South Main Street
Marysville, Ohio 43040
(937) 645-7376 (office)
cgreen@marysvilleohio.org

Brad Bodenmiller

From: Joseph Grove <jgrove@unioncountyohio.gov>
Sent: Thursday, March 27, 2025 9:41 AM
To: Brad Bodenmiller; Brad Bodenmiller
Cc: Gram Dick; Heather Martin
Subject: RE: Copy of Distribution Letter + Plat for Avondale Preliminary Plat

Union Soil & Water has no comments for **Avondale – Preliminary Plat**. The preliminary drainage plan is still approved.

Joseph Grove
Urban Technician
Union Soil & Water Conservation District
18000 State Route 4, Suite D
Marysville, OH 43040
937-642-5871 x 2216
jgrove@unioncountyohio.gov



please consider the environment - do you really need to print this email?

From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Wednesday, March 26, 2025 10:03 AM
To: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Cc: Gram Dick <gramdick@lucplanning.com>; heathermartin@lucplanning.com
Subject: Copy of Distribution Letter + Plat for Avondale Preliminary Plat

Good afternoon,

I attached a copy of the **Distribution Letter** generated for and a **digital copy** of **Avondale – Preliminary Plat**. Paper copies were delivered/mailed yesterday. **Please review the Plat carefully because it was updated.** Please note the meeting dates and call with any questions. Thank you!

Note: This is one of three subdivisions being shared. (Electric providers and townships will only receive a copy of relevant subdivisions; you may only receive as few as one email.)

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



March 21, 2025

Bart Barok
5979 Dublin Rd
Delaware, OH 43015

RE: Avondale Subdivision Approval

Mr. Barok,

The Union County Board of Health (BoH) received your application for subdivision review for "Avondale". The proposed subdivision consists of 30 residential lots and will be served by individual on lot sewage treatment systems and individual private water systems (wells).

At their March 19, 2025 meeting, the BoH reviewed your application. After due consideration, the BoH approved your application and proposed plans for the "Avondale" Subdivision.

Should you have any questions, please contact the Union County Health Department at (937)-642-2053.

Sincerely,

A handwritten signature in blue ink, appearing to read 'WJ Marshall', followed by a horizontal line.

Wyatt J. Marshall, REHS
Deputy Director of Environmental Health
Union County Health Department



Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

March 27th 2025

Bradley Bodenmiller
LUC Regional Planning Commission
10820 St. Rt. 347, PO Box 219
East Liberty, OH 43319

Name of Development – Avondale

Details -

Number of Lots: 30
Front Setback: Not Defined
Side Setback: Not Defined
Rear Setback: Not Defined
Placement of electric facilities – Front Lot

Union Rural Electric Terms and Conditions - Development must comply with URE's Terms and Conditions for Supplying Electric Service.

Easement Requirements – URE has easement requirements of 20 feet for underground primary and secondary facilities.

- Actual location of electrical facilities can be located within a 10 feet easement if adjacent property has additional easements or right of way for ingress and egress totaling a minimum of 20 feet. When on a property line, require 10 ft easement on each of the adjacent properties. Developer to install creek/stream crossing (directional bore if applicable) 10 feet beyond stream protection easements (when applicable).
- Utility Easement for URE electric facilities will be joint use for phone, cable or other private communication entities (fiber).
- Allow Utility ingress and egress of open space as necessary for maintenance, repairs, replacement of electric facilities.
- Where practical, do not place the easement area over building setbacks, adjacent to is acceptable. URE does not want the primary conductor to be within five feet from the basement walls or building footers.
- Electric easements must be platted and shown on final plat plans.
- No permanent or semi-permanent structures, fencing, plantings, etc. shall be permitted in the easement areas. Said easement rights shall include the right, without liability therefore to remove trees and landscaping, including lawns within and without said easement premises which may interfere with installation or maintenance of facilities.

Street Crossings and Adjacent Property Paths - Street crossing and adjacent property paths to be determined when facilities layout is completed.

Landscape Plans - Landscape Plans shall not interfere with URE utility easements or access to URE facilities and shall comply with any regulatory and/or NESC rules.



Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

URE Contacts:

- Matt Zarnosky – V.P. Engineering and Operations - Office 937-645-9246 – Cell 716-510-6640
- Brent Ransome – Manager of Engineering – Office 937-645-9241
- Ed Peper – Engineer – Office 937-645-9240
- Ron McGlone – Engineer – Office 937-645-9263 – Cell 937-594-3787
- Beau Michael – Key Accounts – Office 937-645-9251 – Cell 937-537-0370

General Comments:

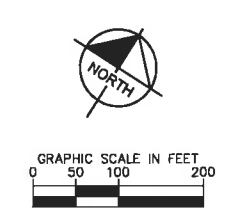
- Sheet 1 - 4 of 10: No Comments
- Sheet 5 of 10: URE will require a separate 10-foot easement along the front of lots 1-30 adjacent to the road right-of-way or the utility easement. URE will require a 20-foot easement between lots 29 and 30 extending from the road right-of-way to the north property line of lot 29. See highlighted areas of attachment titled “URE Easement Layout 02-25-2025”
- Sheet 6-10 of 10: No Comments

Before construction commences URE will work with the developer to complete the electrical facility design and layout.

Regards,

Brent Ransome
Manager of Engineering Services
Union Rural Electric Cooperative, Inc
15461 US Hwy 36
Marysville, Ohio 43040
Direct: (937) 645-9241

Drawing name: K:\13.135\13030000_Site Plan.dwg Date: 2/20/2025 1:10pm by: Janna Burt
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- LEGEND**
- EXISTING PROPERTY BOUNDARY
 - EXISTING PROPERTY LINE
 - EXISTING RIGHT-OF-WAY
 - PROPOSED PROPERTY LINE
 - PROPOSED RIGHT-OF-WAY
 - PROPOSED SETBACK
 - PROPOSED CENTERLINE
 - PROPOSED FACE OF CURB
 - PROPOSED SIDEWALK
 - PROPOSED FENCE

LINE TABLE		
LINE	LENGTH	BEARING
L1	259.51	S45°38'42.11"W
L2	171.49	S29°22'04.22"W
L3	122.42	S74°52'26.94"W
L4	548.59	N57°22'13.02"E
L5	366.90	N27°26'13.96"W
L6	386.65	N17°45'19.15"W
L7	324.16	N32°33'20.19"W
L8	180.73	S45°38'03.89"E
L9	287.31	S17°20'08.08"E
L10	96.26	S32°37'46.98"E
L11	135.12	S84°52'28.83"E
L12	143.65	S2°18'09.86"E

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	300.00'	85.23'	S37°30'23"W	84.84'	16°16'38"	42.90'
C2	300.00'	238.27'	S52°07'16"W	232.06'	45°30'23"	125.82'
C3	300.00'	91.65'	S66°07'20"W	91.29'	17°30'14"	46.18'
C4	150.00'	222.03'	S14°58'00"W	202.31'	84°48'27"	136.89'
C5	300.00'	50.69'	S22°35'47"E	50.63'	9°40'55"	25.41'
C6	300.00'	77.49'	S25°09'20"E	77.28'	14°48'01"	38.86'
C7	300.00'	148.17'	S31°29'06"E	146.67'	28°17'55"	75.63'
C8	150.00'	136.78'	S58°45'08"E	132.09'	52°14'42"	73.56'
C9	200.00'	288.23'	S43°35'18"E	263.83'	82°34'19"	175.62'
C10	300.00'	349.90'	S35°42'56"E	330.40'	66°49'33"	197.91'

PRELIMINARY ENGINEERING PLAN
FOR
AVONDALE

STATE ROUTE 736
PLAIN CITY, OHIO 43084

Kimley-Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
7885 N. HIGH STREET, SUITE 200
COLUMBUS, OH 43235
PH: 614.444.4444
WWW.KIMLEY-HORN.COM

AS NOTED
DESIGNED BY: NSS
DRAWN BY: JWB
CHECKED BY: NSS

SCALE

REVISIONS

DATE

BY

ORIGINAL ISSUE:
2/20/2025

KHA PROJECT NO.
190363000

SHEET NUMBER
5

OF 10



April 3rd, 2025

Logan-Union-Champaign Regional Planning Commission
c/o Brad Bodenmiller
PO Box 219
East Liberty, OH 43214
bradbodenmiller@lucplanning.com

RE: Avondale – Preliminary Plat
Zoning Compliance

Dear Mr. Brad Bodenmiller:

In March, I sent you a letter about the Avondale – Preliminary Plat. The letter provided a list of items which did not comply with the Darby Township Zoning Resolution. Since that time, the subdivider requested variances, and the Darby Township Board of Zoning Appeals (BZA) met and granted the following variances:

- Variance **granted** regarding: The minimum lot size in the U-1 District is 2.0 acres (Section 920, 3., a.). Lot 19 is only 1.70 acres.
- Variance **granted** regarding: The minimum lot size in the U-1 District is 2.0 acres (Section 920, 3., a.). Lot 22 is only 1.67 acres.
- Variance **granted** regarding: Several lots do not meet the require for a “minimum depth to width ratio: 1:1” (Section 920, 3., h.). The following lots are too shallow: Lot 18, 19, 22, 23, **and 24, and 25**.
- Variance **not required**: After further review, Lot 25 as proposed was found to be in compliance with the “minimum depth to width ratio: 1:1”.
- The March letter referred to setbacks on Lot 18 + Lot 22 and 23. The Subdivision Regulations only require a front yard setback be shown on a Plat. These will be reviewed and addressed when applications are received for zoning permits which is anticipated after approval of any Final Plat.

After the BZA decisions, I reviewed the updated Preliminary Plat (dated 03-17-2025). At this time, my concerns have been resolved. Please contact me with any questions you may have at (937) 243-0204.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Smith'.

Scott Smith
Zoning Inspector
(937)243-0204
townshipsmith@gmail.com

Darby Township
Board of Zoning Appeals (BZA) Minutes
April 1, 2025

The Board of Zoning Appeals met on Monday, April 1, 2025 at 6:30 pm at the Darby Township Hall, Unionville Center, OH. The following Board and Alternate members were present: Dennis Graham, Charles (Chuck) Adams, Mike Priday, Peggy Beck, Nathan Cunningham, Mark Marsh and Kris Vollrath. Others present included: Scott Smith, Jim Scheiderer, Terry Nicol, Bart Barok and Roger Weeks.

Mr. Graham, Chair, called the meeting to order and the Pledge of Allegiance was recited.

Mr. Priday made a motion to approve the March 18, 2025 minutes. Mr. Adams seconded the motion. The minutes were approved as presented.

Mr. Bart Barok (Sox Real Estate) is requesting a variance. Mr. Barok is recommending the creation of large estate lots and is requesting the following variances.

- Lot 19 – minimum lot size reduced to 1.70 acres
- Lot 22 – minimum lot size reduced 1.67 acres
- Lot 18 – reduction in rear setback to 35'
- Reduction of minimum depth to width ratio for lots 18, 19, 22, 23, 24 and 25.

All variances as shown on the preliminary plat.

Mr. Smith reviewed the variance request noting that the preliminary plat was revised on March 17, 2025, and he would be providing information from the revised plat. He noted that with the revisions made to the plat that no variance is needed for lot 25.

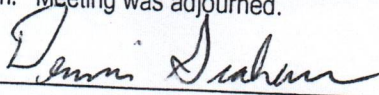
Mr. Barok indicated that the lots for the proposed subdivision are in both Darby and Jerome Townships. He noted that the property size is 67 acres with 15 acres being in Darby Township. He explained that in speaking to the school districts that it had been agreed upon that lot 19 would be in Fairbanks School District and not Jonathan Alder School District. Plans are to have large custom homes built on these lots. No variances were needed from Jerome Township as their minimum lot size requirement is 1.5 acres. A discussion ensued between the Board and Mr. Barok. Mr. Priday inquired if one motion could be made on the variance. All the Board member agreed to one motion for the variance request.

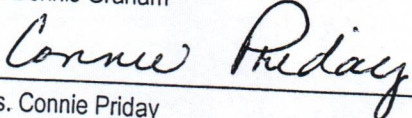
Mr. Priday made a motion to approve the variance as follows:

- Lot 18 – the house will not face north, which will allow all setback requirements to be met.
- Lots 19 & 22 – reduced lot size from the 2.00 acre requirement. Lot 19 reduced to 1.70 acres and lot 22 reduced to 1.67 acres.
- Lots 18, 19, 22, 23, 24 – approved to not meet the minimum 1:1 width to depth ratio

Mrs. Beck seconded the motion. Roll call: Mr. Graham, yea, Mr. Adams, yea, Mrs. Beck, yea, Mr. Priday, yea and Mr. Cunningham, yea. Motion unanimously passed.

There being no further business Mr. Adams made a motion to adjourn the meeting, and Mr. Cunningham seconded the motion. Meeting was adjourned.


Mr. Dennis Graham


Mrs. Connie Priday



Logan-Union-Champaign regional planning commission

Staff Report – Curry Farm Phase 1

Applicant:	AMH Development, LLC c/o James Martin 781 Brooksedge Plaza Drive Westerville, OH 43081 jmartin@amh.com CESO Inc. c/o Jon Buchanan 2800 Corporate Exchange Dr., Suite 400 Columbus, OH 43231 buchanan@cesoinc.com
Request:	Approval of Curry Farm, Phase 1 – Final Plat. <i>This Plat was tabled during the March 2025 LUC Executive Committee meeting.</i>
Location:	Located east of US 42, just south of the Pioneer Crossing subdivision Jerome Township, Union County.

Staff Analysis:	This Final Plat involves 25.701 acres of land and proposes 58 single-family residential lots. Acreages: ○ 4.770 acres in right-of-way ○ 9.892 acres in single-family residential lots ○ 11.039 acres in open space Proposed utilities: ○ City of Marysville water service ○ City of Marysville sanitary waste disposal Preliminary Plat: ○ The Preliminary Plat was approved in November 2022, and it was subsequently extended in October 2024. • Union County Engineer's Office ○ The Engineer's Office submitted comments in a letter dated 03-06-25, an email dated 03-05-25, and an email dated 03-26-25. The Engineer's Office reported the Construction Drawings are approved, but construction has not completed. Due to this, a bond or surety was required, but none has been
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	submitted/approved by the County Commissioners. The Engineer's Office recommended denial due to the outstanding bond. The Engineer's Office reserved the right to change its recommendation, should this comment be addressed prior to the LUC meetings. 1. The Map Room submitted mark-ups in a separate communication (03-05-25 email) and verified its comments were addressed (03-26-25 email). • Union County Soil & Water Conservation District ○ In an email dated 02-27-25 and an email dated 03-27-25, the District advised it had no comments. • Union County Health Department ○ In an email dated 03-26-25, the District asked whether it is possible to have an easement for the property south of the development (9324 US Hwy 42) to tie into sanitary sewer in the future? The property at 9324 US Hwy 42 is currently serviced by private, on-site septic system. <i>Note from LUC Staff: There is already a Utility Easement running along the front of US Hwy 42. With this in mind, the comment may not be warranted. Please review.</i> ○ No additional comments received as of 04-02-25. Standard comments from the Health Department are below: 1. "All efforts should be made to provide a point of connection (via easements and/or service lines) to both water and sewer to any adjacent home, business, or any other facility that is serviced by a private water system (PWS) and/or sewage treatment system (SWS)." 2. Any home, business, or other structure that is currently being serviced by a private sewage treatment system (STS) and ends up being situated within 200' of a sanitary sewer easement, shall be brought to the attention of the Union County Health Department." 3. "If at any at time during development of the subdivision a private water system (PWS) (well, cistern, etc.) or sewage treatment system (STS) is found, our office shall be immediately contacted for inspection. Proper permitting must be obtained for sealing and/or abandonment of a
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	private water system (PWS) and sewage treatment system (STS).” • City of Marysville ○ In an email dated 03-31-25, the City advised it had no further comments. • Jerome Township ○ The Township submitted comments in a letter dated 03-28-25. The Final Plat complies with the approved Detailed Development Plan. • ODOT District 6 ○ No comments received as of 04-02-25. • Union Rural Electric (URE) ○ In a letter dated 02-28-25 and a letter dated 03-27-25, URE advised it had no comments. • AES Ohio ○ No comments received as of 04-02-25. • LUC Regional Planning Commission 1. Sheet 2: Please review the “15’ URE Esmt.” between lots 7/8 and the “20’ Utility & URE Esmt.” in front of lots 7/8/9. Where do these join/stop? Additionally, there are three easement labels in front of lots 2, 5, and 6 but they are only “Utility Esmt”. Please review and adjust if warranted. 2. Sheet 2: Please review the “20’ Utility Esmt.” between lots 4/5 that runs into Reserve A. Does this go through the “20 URE Esmt.”? Please review and adjust if warranted. 3. Sheet 3: Please review the “20’ Utility Esmt.” between lots 68/69. Does this stop at the rear where the “10’ URE Esmt.” begins or does it run through to Reserve B? Please review and adjust if warranted. 4. A letter is required from the County Engineer verifying all required improvements have been installed and approved by the proper officials or agencies, or verifying a bond or other surety, approved by the County Commissioners and their legal counsel, has been furnished assuring installation of the required improvements (§324, 2.; §326; §330).
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Logan-Union-Champaign regional planning commission

Staff Report – Curry Farm Phase 1

Staff Recommendations:	Staff recommends acceptance of the developer's request to TABLE the Curry Farm, Phase 1 – Final Plat.
Z&S Committee Recommendations:	Options for action: ○ <i>Approval</i> ○ <i>Conditional Approval (state conditions)</i> ○ <i>Denial (state reasons)</i> ○ <i>Table (if requested)</i>

CURRY FARM
PHASE 1
STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME,
VIRGINIA MILITARY SURVEY NO. 1440

SITUATED IN THE STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME, VIRGINIA MILITARY SURVEY NUMBER 1440, CONTAINING 25.701 ACRES OF LAND, MORE OR LESS, BEING ALL OUT OF THAT 50.372 ACRE TRACT OF LAND CONVEYED TO AMH DEVELOPMENT, LLC, OF RECORD IN INSTRUMENT NUMBER 202502040000896.

THE UNDERSIGNED, AMH DEVELOPMENT, LLC, BY JAMES MARTIN, DULY AUTHORIZED IN THE PREMISES, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS "CURRY FARM PHASE 1", A SUBDIVISION CONTAINING LOTS NUMBERED 1-21, 64-100 INCLUSIVE RESERVES "A", "B", "C", AND "D" AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATED TO PUBLIC USE, AS SUCH, ALL OR PARTS OF HARVESTER STREET, PEWAMO LANE, SAGEWOOD STREET, TILLAGE WAY AND U.S. 42.

UTILITY EASEMENTS: WE THE UNDERSIGNED OWNERS OF THE WITHIN PLATTED LAND, DO HEREBY GRANT UNTO THE CITY OF MARYSVILLE, FRONTIER, WIDE OPEN WEST, CHARTER SPECTRUM, AES, FIBER ARMS, ZAYO FIBER SOLUTIONS, ODOT DISTRICT 6, COLUMBIA GAS OF OHIO AND THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER REFERRED TO AS GRANTEES) A PERMANENT RIGHT-OF-WAY AND EASEMENT UNDER, OVER, AND THROUGH ALL SUBLOTS AND ALL LANDS OWNED BY THE GRANTOR AS DEPICTED HEREON (UTIL. ESMT.) TO CONSTRUCT, PLACE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT OR RELOCATE SUCH WATERLINES, SEWER LINES, UNDERGROUND ELECTRIC, GAS AND COMMUNICATION CABLE, DUCTS, CONDUITS, PIPES, GAS PIPELINES, SURFACE OR BELOW GROUND MOUNTED TRANSFORMERS AND PEDESTALS, CONCRETE PADS AND OTHER FACILITIES AS DEEMED NECESSARY OR CONVENIENT BY THE GRANTEES FOR DISTRIBUTING, TRANSPORTING, AND TRANSMITTING ELECTRICITY, GAS AND COMMUNICATION SIGNALS FOR PUBLIC AND PRIVATE USE AT SUCH LOCATIONS AS THE GRANTEES MAY DETERMINE UPON, WITHIN, AND ACROSS SAID EASEMENT PREMISES. NO PERMANENT STRUCTURES, PLANTINGS, ETC. SHALL BE PERMITTED IN THE EASEMENT AREAS. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT, WITHOUT LIABILITY THEREFORE TO REMOVE TREES AND LANDSCAPING, INCLUDING LAWNS WITHIN AND WITHOUT SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE, RIGHT TO INSTALL, REPAIR, AUGMENT, AND MAINTAIN SERVICE CABLES, AND PIPE LINES OUTSIDE THE ABOVE DESCRIBED EASEMENT PREMISES OR THE RIGHT OF ACCESS, INGRESS AND EGRESS TO AND FROM ANY OF THE WITHIN DESCRIBED PREMISES FOR EXERCISING ANY OF THE PURPOSES OF THIS RIGHT-OF-WAY AND EASEMENT GRANT.

DRAINAGE EASEMENTS ARE HEREBY RESERVED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "DRAINAGE EASEMENT" (DRN. ESMT.). WITHIN THOSE AREAS DESIGNATED AS "DRAINAGE EASEMENT" (DRN. ESMT.) ON THIS PLAT, AN EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES AND/OR OTHER STORM WATER DRAINAGE FACILITIES. NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT UNLESS APPROVED BY THE UNION COUNTY ENGINEER. NO BUILDING SHALL BE CONSTRUCTED IN ANY AREA OVER WHICH DRAINAGE EASEMENTS ARE HEREBY RESERVED. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT TO REMOVE, WITHOUT LIABILITY, TREES AND LANDSCAPING, INCLUDING LAWNS OR ANY OTHER STRUCTURE WITHIN SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE OR FACILITIES.

UNION RURAL ELECTRIC EASEMENTS (URE): WE THE UNDERSIGNED OWNERS OF THE WITHIN PLATTED LAND, DO HEREBY GRANT UNTO UNION RURAL ELECTRIC, FIBER ARMS AND SPECTRUM AND ZAYO FIBER SOLUTIONS AND THEIR SUCCESSORS AND ASSIONS (HEREINAFTER REFERRED TO AS GRANTEES) A PERMANENT RIGHT-OF-WAY AND EASEMENT UNDER, OVER, AND THROUGH ALL SUBLOTS AND ALL LANDS OWNED BY THE GRANTOR AS SHOWN HEREON (URE ESMT.) TO CONSTRUCT, PLACE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT OR RELOCATE SUCH UNDERGROUND AND OVERHEAD ELECTRIC AND COMMUNICATION CABLE, DUCTS, CONDUITS, SURFACE OR BELOW GROUND MOUNTED TRANSFORMERS AND PEDESTALS, CONCRETE PADS AND OTHER FACILITIES AS DEEMED NECESSARY OR CONVENIENT BY THE GRANTEES FOR DISTRIBUTING, TRANSPORTING, AND TRANSMITTING ELECTRICITY AND COMMUNICATION SIGNALS FOR PUBLIC AND PRIVATE USE AT SUCH LOCATIONS AS THE GRANTEES MAY DETERMINE UPON, WITHIN, AND ACROSS SAID EASEMENT PREMISES. NO PERMANENT STRUCTURES, FENCING, PLANTINGS, ETC. SHALL BE PERMITTED IN THE EASEMENT AREAS. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT, WITHOUT LIABILITY THEREFORE TO REMOVE TREES AND LANDSCAPING, INCLUDING LAWNS WITHIN AND WITHOUT SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF FACILITIES.

ROAD DEDICATION: 1.030 PLATTED ACRES IN AND ADJACENT TO THE U.S. HIGHWAY 42 RIGHT OF WAY IS DEDICATED TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION. 3.740 ACRES OF PLATTED STREETS ARE DEDICATED TO UNION COUNTY FOR PUBLIC ROAD RIGHT OF WAY.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT JAMES MARTIN, VICE PRESIDENT, LAND DEVELOPMENT OF AMH DEVELOPMENT, LLC, OWNER OF THE LAND INDICATED ON THE ACCOMPANYING PLAT, HAVE AUTHORIZED THE PLATTING THEREOF AND DO HEREBY DEDICATE THE STREETS, ROADS, PARKS, EASEMENTS, ETC. AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

THIS _____ DAY OF _____, _____.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF: AMH DEVELOPMENT, LLC

BY: _____
WITNESS JAMES MARTIN
VICE PRESIDENT, LAND DEVELOPMENT

WITNESS

STATE OF OHIO
COUNTY OF: _____

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JAMES MARTIN, VICE PRESIDENT, LAND DEVELOPMENT OF AMH DEVELOPMENT, LLC, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF CURRY FARM PHASE 1, FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS _____ DAY OF _____, ____.

MY COMMISSION EXPIRES _____

ACREAGE BREAKDOWN
PARCEL NUMBERS: MAP NUMBERS: ACREAGE:
15-0007054.0000 135-00-00-035.000 25.701 ACRES

DEVELOPER:
AMH DEVELOPMENT, LLC
781 BROOKSEDGE PLAZA DRIVE
WESTERVILLE, OH 43081
EMAIL: J.MARTIN@AMH.COM
CONTACT: JAMES MARTIN

SURVEYOR:
CESO, INC.
2800 CORPORATE
EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 619-0515
CONTACT: MATT ACKROYD

REVIEWED THIS _____ DAY OF _____, 2025

CHAIRMAN, JEROME TOWNSHIP TRUSTEES

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY ENGINEER

APPROVED THIS _____ DAY OF _____, 2025

LUC REGIONAL PLANNING COMMISSION

RIGHTS-OF-WAY FOR PUBLIC STREETS AND ROADS HEREIN DEDICATED TO PUBLIC USE ARE HEREBY APPROVED THIS _____ DAY OF _____, 2025 FOR THE COUNTY OF UNION, STATE OF OHIO. STREET IMPROVEMENTS WITHIN SAID DEDICATED RIGHTS-OF-WAY SHALL NOT BE ACCEPTED FOR PUBLIC USE UNLESS AND UNTIL CONSTRUCTION IS COMPLETED AND ACCEPTED AS SUCH BY UNION COUNTY. IN ADDITION, STREET IMPROVEMENTS WITHIN SAID DEDICATED RIGHTS-OF-WAY SHALL NOT BE ACCEPTED FOR PUBLIC MAINTENANCE UNTIL THE MAINTENANCE PERIOD TRANSPIRES AND THE STREET IMPROVEMENTS ARE ACCEPTED FOR PUBLIC MAINTENANCE BY UNION COUNTY.

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY COMMISSIONER

UNION COUNTY COMMISSIONER

UNION COUNTY COMMISSIONER

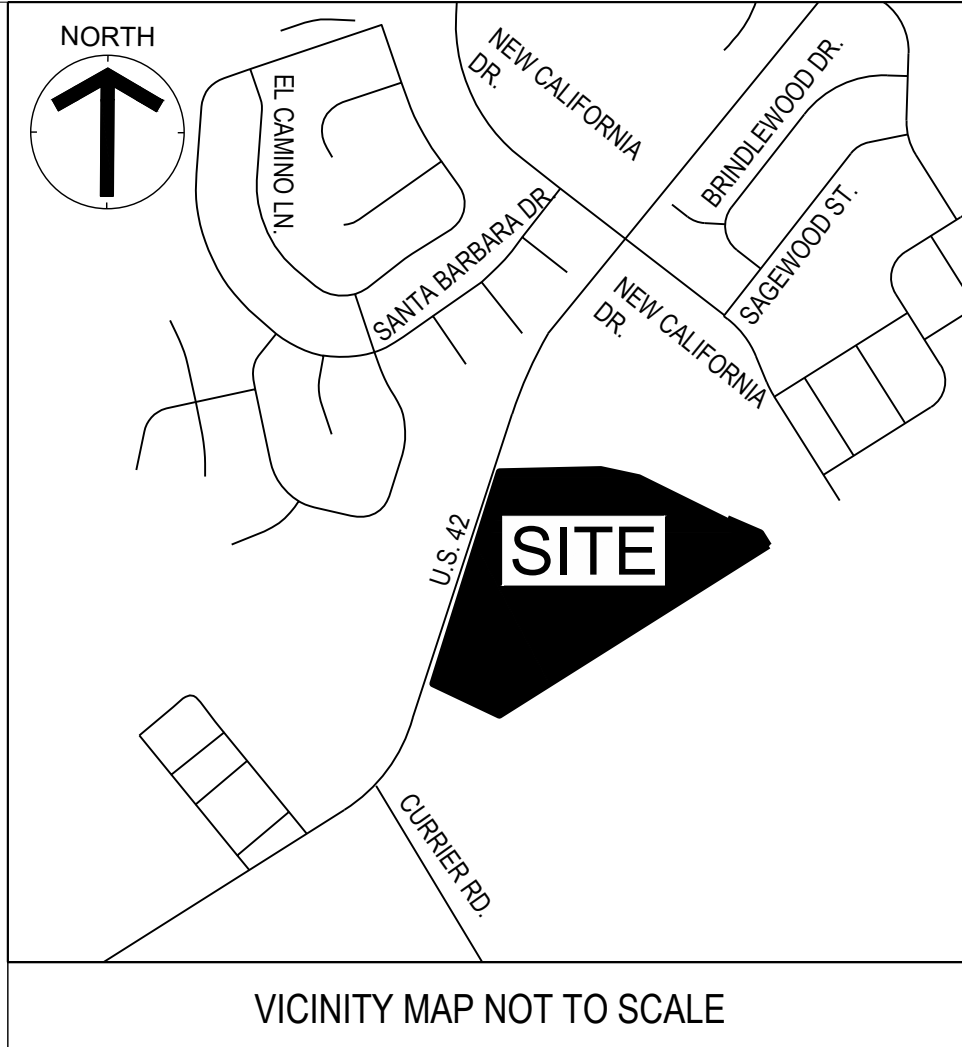
TRANSFERRED THIS _____ DAY OF _____, 2025

UNION COUNTY AUDITOR

FILED FOR RECORD THIS _____ DAY OF _____, 2025, AT _____ M.

RECORDED THIS _____ DAY OF _____, 2025 IN PLAT BOOK _____ PAGES _____ SLIDE _____

COUNTY RECORDER



VICINITY MAP NOT TO SCALE

ZONING

"CURRY FARM PHASE 1" IS ZONED PLANNED DEVELOPMENT DISTRICT (PD) AND SHOULD BE DEVELOPED IN ACCORDANCE WITH THE APPLICABLE REGULATION TEXT, AND WITH THE GENERAL PROVISIONS OF THE JEROME TOWNSHIP ZONING RESOLUTION.

VARIANCE GRANTED FOR RIGHT-OF-WAY WIDTH (SECTION 406)
RESOLUTION 22-410 - 11/09/2022

BASIS OF BEARING

THE BEARINGS ARE BASED ON THE BEARING OF NORTH 17°25'44" EAST FOR A PORTION OF THE CENTERLINE OF U.S. 42, OHIO STATE PLANE NORTH ZONE AS DETERMINED USING AN OPUS SOLUTION.

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, UNION COUNTY, OHIO.

IRON PINS

ALL IRON PINS SET ARE SOLID 5/8" REBAR WITH A CAP MARKED "CESO". MONUMENTS SHALL BE SET UPON COMPLETION OF CONSTRUCTION.

PERMANENT MARKERS

ALL IRON PINS SET ARE SOLID IRON PINS, 1" IN DIAMETER, WITH AN ALUMINUM CAP STAMPED "CESO". MONUMENTS SHALL BE SET UPON COMPLETION OF CONSTRUCTION.

CERTIFICATION

THE ACCOMPANYING PLAT REPRESENTS A SUBDIVISION OF LAND IN V.M.S. NO. 1440, JEROME TOWNSHIP, UNION COUNTY, OHIO. THE TRACT HAS AN AREA OF 4.770 ACRES IN RIGHT-OF-WAY, 9.892 ACRES IN LOTS AND 11.039 ACRES IN RESERVES MAKING A TOTAL OF 25.701 ACRES.

ALL MEASUREMENTS ARE IN FEET AND DECIMALS OF A FOOT. ALL MEASUREMENTS ON CURVES ARE CHORD AND ARC DISTANCES.

AT THE TIME OF PLATTING, ALL OF THE LAND HEREBY BEING PLATTED AS CURRY FARM PHASE 1, IS IN THE FLOOD HAZARD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS DESIGNATED AND DELINEATED ON THE FEMA FLOOD INSURANCE MAP FOR UNION COUNTY, OHIO, AND INCORPORATED AREAS, MAP NUMBER 39159C0388D WITH EFFECTIVE DATE OF DECEMBER 16, 2008.

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS A CORRECT REPRESENTATION OF CURRY FARM PHASE 1, AS SURVEYED ON MAY 4, 2023.

MONUMENTS WILL BE PLACED AS INDICATED AFTER CONSTRUCTION AND PRIOR TO THE SALE OF ANY LOTS. ALL SAID MONUMENTS SET WILL BE PER THE LEGEND SHOWN BELOW.

MATTHEW J. ACKROYD, P.S.
OHIO P.S. NO. 8897
2800 CORPORATE EXCHANGE DRIVE, SUITE 400
COLUMBUS, OHIO 43231

DATE:

CESO IRON PIN LEGEND

- ⊙ IRON PIN FOUND AS DESCRIBED
- ⦿ IRON PIN TO BE SET (5/8"x30" REBAR W/ CESO CAP)
- △ MAG NAIL SET
- PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)



CESO
WWW.CESOINC.COM

2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

CURRY FARM
PHASE 1

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
----	-------------	------

© 2025 CESO, INC.

Project Number: 759171

Scale: N/A

Drawn By: OPG

Checked By: JKH/ALB

Date: 3/20/2025

Issue:

Drawing Title:

PLAT

C:\Users\chevalier\OneDrive\Documents\CESOA\Curry Farm\Project Files\CESOA05-SURVEY\Drawings\759171-AMH-CURRY-FARM-PLAT.dwg - 3/20/2025 - Andreas Chevalier

CESO IRON PIN LEGEND

- ⊙ IRON PIN FOUND AS DESCRIBED
- ⊙ IRON PIN TO BE SET (5/8"x30" REBAR W/ CESO CAP)
- △ MAG NAIL SET
- PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)

RYAN AND
REBECCA GRIFFIN
IN. 20220923009011
5.794 ACRES

U.S. 42 (60' RW) (PUBLIC WIDTH VARIES)
(S.H. 241 SEC. F & G, PG. 2/13)

U.S. 42 (60' RW) (PUBLIC WIDTH VARIES)
(S.H. 241 SEC. F & G, PG. 2/13)

REBAR FOUND -
FOX SURVEYING CAP

DONALD & TONYA BAUMANN
IN. 20040417000600
1.85 ACRES

V.M.S. 1440
V.M.S. 9132

RESERVE "A"
SEE NOTE "F"
2.828 AC

U.S. 42 (60' RW) (PUBLIC WIDTH VARIES)
(S.H. 241 SEC. F & G, PG. 2/13)

EASEMENT FOR HIGHWAY
PURPOSES
D.B. 294, PG. 635

ENVIRONMENTAL
COVENANT
IN.

ENVIRONMENTAL
COVENANT
IN.

REBAR FOUND
FOX SURVEYING CAP

HARVESTER STREET
(60' RIGHT OF WAY)

RESERVE "D"
SEE NOTE "F"
1.258 AC

HARVESTER STREET
(60' RIGHT OF WAY)

SEE NOTE "A"

SAGEWOOD STREET
(50' RIGHT OF WAY)

JOHN E & CHERYL A CRAGER
IN. 20230711000475
100.50 ACRES

SEE SHEET 4

GRAPHIC SCALE (IN FEET)

RESERVE "B"
SEE NOTE "F"
5.350 AC

SEE SHEET 3



CESO
WWW.CESOINC.COM

2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 688.208.4826

CURRY FARM PHASE 1

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
----	-------------	------

© 2025 CESO, INC.

Project Number: 759171

Scale: 1"=40'

Drawn By: OPG

Checked By: JKH/ALB

Date: 3/20/2025

Issue:

Drawing Title:

PLAT

C:\Users\chevalier\Documents\DCI\ACC\DCI\Curry Farm\Project Files\CESO\05-SURVEY\DWG\759171-AMH-CURRY-FARM\PLAT.dwg - 3/20/2025 - Andreas Chevalier

NOTE "A": NO VEHICULAR ACCESS TO BE IN EFFECT UNTIL SUCH TIME AS THE PUBLIC STREET RIGHT-OF-WAY IS EXTENDED BY PLAT, DEED, OR EASEMENT.

NOTE "B": AT THE TIME OF PLATTING, THE LAND CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT IS SUBJECT TO THE APPLICABLE PROVISIONS OF THE JEROME TOWNSHIP ZONING RESOLUTION, AND THE TOWNSHIP IS THE ZONING AUTHORITY. AT THE REQUEST OF THE ZONING AUTHORITY AND IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS, THIS PLAT SHOWS SOME OF THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FILING OF THIS PLAT. SAID ZONING REGULATIONS ARE SHOWN FOR REFERENCE ONLY AND SHOULD NOT BE CONSTRUED AS CREATING PLAT OR SUBDIVISION RESTRICTIONS, PRIVATE USE RESTRICTIONS, COVENANTS RUNNING WITH THE LANDS OR TITLE ENCUMBRANCES OF ANY NATURE EXCEPT TO THE EXTENT SPECIFICALLY IDENTIFIED AS SUCH. THE APPLICABLE ZONING REGULATIONS MAY CHANGE FROM TIME TO TIME AND SHOULD BE REVIEWED WITH THE ZONING AUTHORITY PRIOR TO THE CONSTRUCTION OF IMPROVEMENTS TO DETERMINE THE CURRENT APPLICABLE ZONING REGULATIONS.

SINGLE FAMILY (LOTS 1-21 AND 64-100)
MIN. LOT AREA: 6,250 SF
MIN LOT WIDTH: 50'
FRONT YARD SETBACK: 25'
REAR YARD SETBACK: 25'
SIDE YARD SETBACK: 5' EACH SIDE (10' TOTAL)

*THE MINIMUM SETBACK FROM US HIGHWAY 42 SHALL BE 50 FEET FOR THE REAR LOT LINE OF ANY LOT. THE REAR YARD SETBACKS FOR LOTS #77-84, INCLUSIVE, SHALL BE 30 FEET, RESULTING IN A TOTAL SETBACK FROM THE RIGHT-OF-WAY LINE OF US HIGHWAY 42 OF NO LESS THAN 80 FEET. THE SIDE YARD SETBACK FOR THE LOT LINE OF LOT #85 THAT FRONTS TO US HIGHWAY 42 SHALL BE 30 FEET.

NOTE "C": ACREAGE BREAKDOWN
TOTAL ACREAGE: 25.701 ACRES
ACREAGE IN LOTS 1-21 AND 64-100 INCLUSIVE: 9.892 ACRES
TOTAL ACREAGE IN RIGHT-OF-WAY: 4.770 ACRES
ACREAGE IN RESERVES: 11.039 ACRES

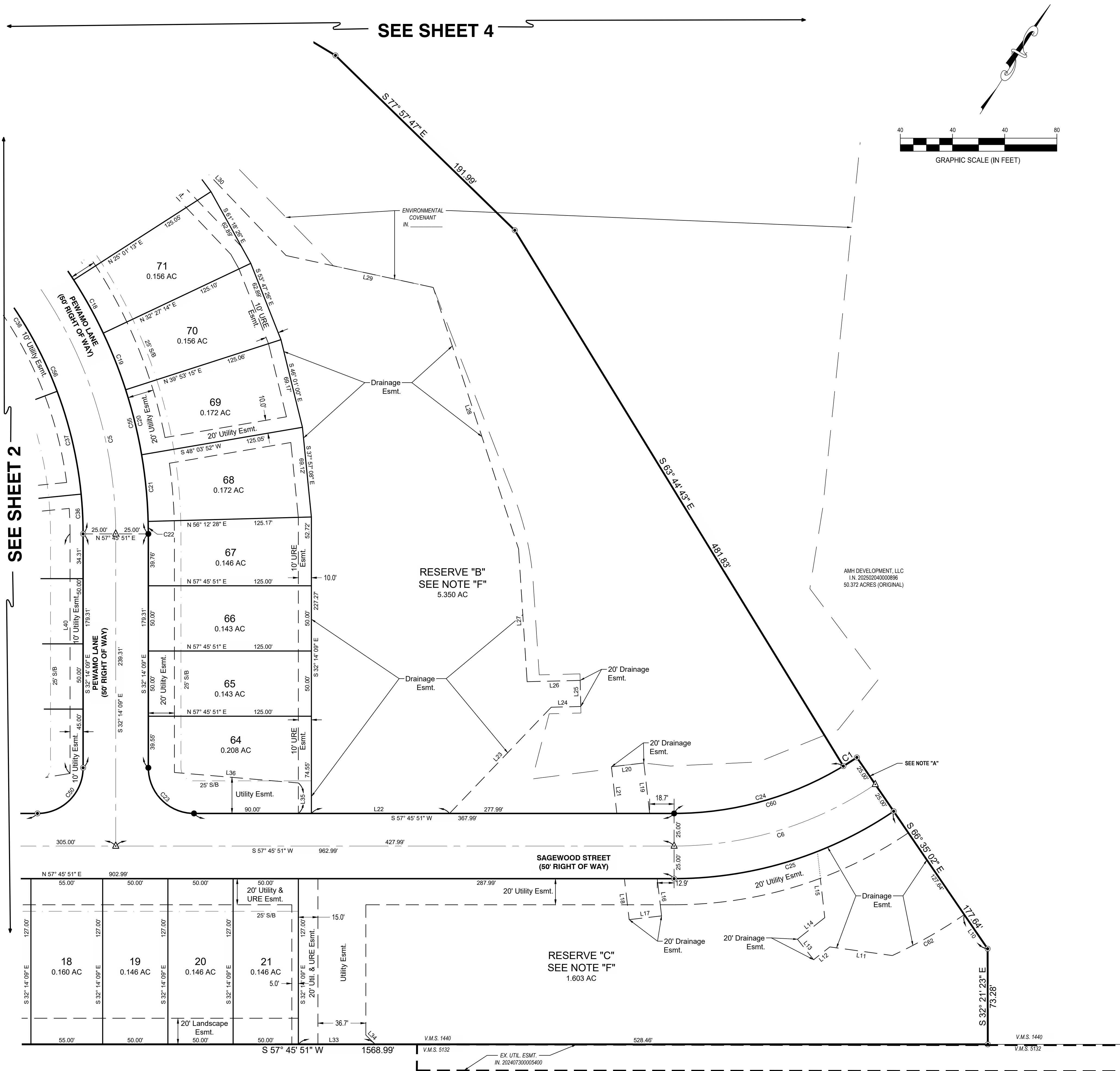
NOTE "D": AT THE TIME OF PLATTING, ALL OF THE LAND HEREBY BEING PLATTED AS CURRY FARM PHASE 1, IS IN THE FLOOD HAZARD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS DESIGNATED AND DELINEATED ON THE FEMA FLOOD INSURANCE MAP FOR UNION COUNTY, OHIO, AND INCORPORATED AREAS, MAP NUMBER 39159C0388D WITH EFFECTIVE DATE OF DECEMBER 16, 2008.

NOTE "E": THE JEROME TOWNSHIP TRUSTEES SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL STORM SEWER PIPE AND DRAINAGE STRUCTURES WITHIN CURRY FARM PHASE 1, ROAD RIGHT OF WAYS.

NOTE "F": RESERVE "A", "B", "C" AND "D", AS DEDICATED AND DELINEATED HEREON ARE RESERVED FOR OPEN SPACE, STORM WATER CONTROL, MAINTENANCE, AMENITY AND RECREATIONAL PURPOSES AND ARE TO BE OWNED AND MAINTAINED BY THE CURRY FARM HOMEOWNERS ASSOCIATION.

STANDARD DEED RESTRICTIONS FOR UNION COUNTY:

1. THERE SHALL BE NO DISCHARGE INTO ANY STREAMS OR STORM WATER OUTLETS OF ANY WASTE MATERIALS IN VIOLATION OF APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.
2. NO PERMANENT STRUCTURES, PLANTING, ETC. SHALL BE PERMITTED IN EASEMENT AREAS.
3. MAINTENANCE OF DRAINAGE DITCHES SHALL BE THE RESPONSIBILITY OF THE OWNERS AFFECTED. IF ANY OWNER DAMAGES A DITCH, THAT OWNER SHALL BE RESPONSIBLE FOR THE REPAIR. OWNERS SHALL BE RESPONSIBLE FOR THE REPAIR. REPAIRS SHALL BE MADE IMMEDIATELY.
4. NO CONSTRUCTION MAY BEGIN OR BUILDING STARTED WITHOUT THE INDIVIDUAL LOT OWNER OBTAINING ZONING, BUILDING, WATER AND SEWER TAP, AND DRIVEWAY PERMITS. ZONING PERMITS ARE TO BE OBTAINED FROM THE TOWNSHIP ZONING INSPECTOR. BUILDING PERMITS ARE OBTAINED FROM THE UNION COUNTY BUILDING REGULATION DEPARTMENT AND DRIVEWAY PERMITS ARE OBTAINED FROM THE UNION COUNTY ENGINEER'S OFFICE. WATER & SEWER TAP PERMITS ARE OBTAINED FROM THE APPLICABLE SERVICE PROVIDER.
5. THE LOT OWNER AND HIS SUCCESSORS AND ASSIGNS AGREE TO ASSUME ANY AND ALL SANITARY SEWER, WATER SERVICE AND DITCH MAINTENANCE CHARGES FOR CURRY FARM PHASE 1.



- CESO IRON PIN LEGEND
- IRON PIN FOUND AS DESCRIBED
 - IRON PIN TO BE SET (5/8"x30" REBAR W/ CESO CAP)
 - ▲ MAG NAIL SET
 - PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)



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2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

CURRY FARM PHASE 1

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
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Project Number: 759171

Scale: 1"=40'

Drawn By: OPG

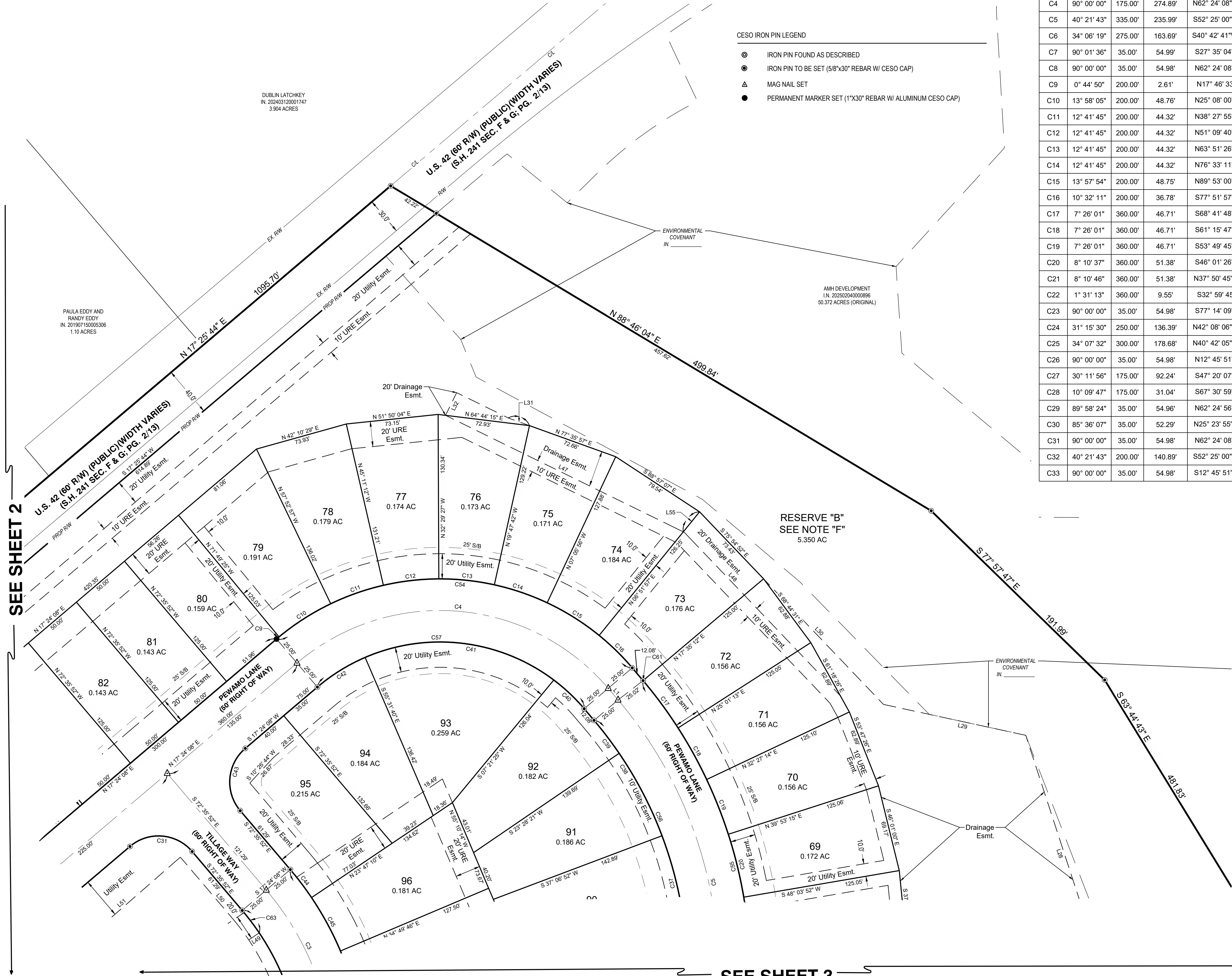
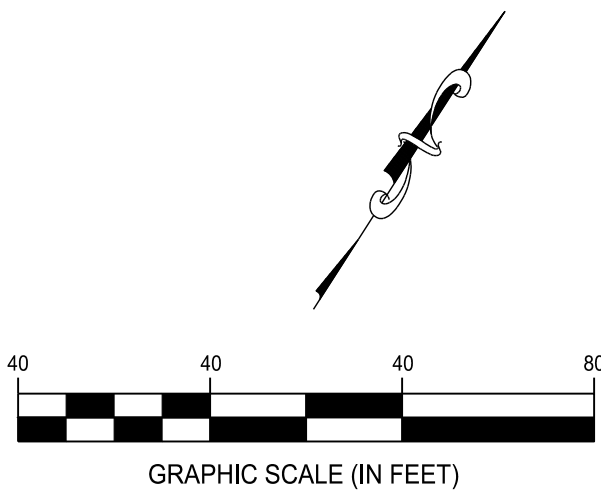
Checked By: JKH/ALB

Date: 3/20/2025

Issue:

Drawing Title:

PLAT



C:\Users\chevall\OneDrive\Documents\CESOA\AMH Curry Farm\Project Files\CESOA05-SURVEY\Drawings\171-AMH-CURRY-FARM\PLAT.dwg - 3/20/2025 - Andreas Chevallier

SEE SHEET 2

2

SEE SHEET 3

CESO IRON PIN LEGEND

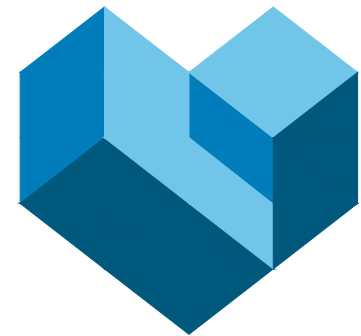
- IRON PIN FOUND AS DESCRIBED
- IRON PIN TO BE SET (5/8"x30" REBAR W/ CESO CAP)
- MAG NAIL SET
- PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)

CURVE TABLE				
Curve	Delta	Radius	Arc Length	Chord
C1	2° 49' 21"	250.00'	12.32'	N25° 05' 40"E, 12.31'
C2	40° 21' 43"	200.00'	140.89'	S52° 25' 00"E, 137.99'
C3	40° 21' 43"	225.00'	158.50'	S52° 25' 00"E, 155.24'
C4	90° 00' 00"	175.00'	274.89'	N62° 24' 08"E, 247.49'
C5	40° 21' 43"	335.00'	235.99'	S52° 25' 00"E, 231.14'
C6	34° 06' 19"	275.00'	163.69'	S40° 42' 41"W, 161.29'
C7	90° 01' 36"	35.00'	54.99'	S27° 35' 04"E, 49.51'
C8	90° 00' 00"	35.00'	54.98'	N62° 24' 08"E, 49.50'
C9	0° 44' 50"	200.00'	2.61'	N17° 46' 33"E, 2.61'
C10	13° 58' 05"	200.00'	48.76'	N25° 08' 00"E, 48.64'
C11	12° 41' 45"	200.00'	44.32'	N38° 27' 55"E, 44.23'
C12	12° 41' 45"	200.00'	44.32'	N51° 09' 40"E, 44.23'
C13	12° 41' 45"	200.00'	44.32'	N63° 51' 26"E, 44.23'
C14	12° 41' 45"	200.00'	44.32'	N76° 33' 11"E, 44.23'
C15	13° 57' 54"	200.00'	48.75'	N89° 53' 00"E, 48.63'
C16	10° 32' 11"	200.00'	36.78'	S77° 51' 57"E, 36.73'
C17	7° 26' 01"	360.00'	46.71'	S68° 41' 48"E, 46.67'
C18	7° 26' 01"	360.00'	46.71'	S61° 15' 47"E, 46.67'
C19	7° 26' 01"	360.00'	46.71'	S53° 49' 45"E, 46.67'
C20	8° 10' 37"	360.00'	51.38'	S46° 01' 26"E, 51.33'
C21	8° 10' 46"	360.00'	51.38'	N37° 50' 45"W, 51.35'
C22	1° 31' 13"	360.00'	9.55'	S32° 59' 45"E, 9.55'
C23	90° 00' 00"	35.00'	54.98'	S77° 14' 09"E, 49.50'
C24	31° 15' 30"	250.00'	136.39'	N42° 08' 06"E, 134.71'
C25	34° 07' 32"	300.00'	178.68'	N40° 42' 05"E, 176.05'
C26	90° 00' 00"	35.00'	54.98'	N12° 45' 51"E, 49.50'
C27	30° 11' 56"	175.00'	92.24'	S47° 20' 07"E, 91.17'
C28	10° 09' 47"	175.00'	31.04'	S67° 30' 59"E, 31.00'
C29	89° 58' 24"	35.00'	54.96'	N62° 24' 56"E, 49.49'
C30	85° 36' 07"	35.00'	52.29'	N25° 23' 55"W, 47.56'
C31	90° 00' 00"	35.00'	54.98'	N62° 24' 08"E, 49.50'
C32	40° 21' 43"	200.00'	140.89'	S52° 25' 00"E, 137.99'
C33	90° 00' 00"	35.00'	54.98'	S12° 45' 51"W, 49.50'

CURVE TABLE				
Curve	Delta	Radius	Arc Length	Chord
C34	90° 00' 00"	35.00'	54.98'	N77° 14' 09"W, 49.50'
C35	35° 57' 50"	225.00'	141.23'	N50° 13' 04"W, 138.92'
C36	5° 38' 37"	310.00'	30.54'	N35° 03' 28"W, 30.52'
C37	15° 00' 22"	310.00'	81.19'	N45° 22' 57"W, 80.96'
C38	13° 38' 31"	310.00'	73.81'	N59° 42' 23"W, 73.64'
C39	6° 04' 13"	310.00'	32.84'	N69° 33' 45"W, 32.83'
C40	12° 40' 45"	150.00'	33.19'	N78° 56' 14"W, 33.13'
C41	60° 15' 03"	150.00'	157.74'	S64° 35' 52"W, 150.57'
C42	17° 04' 12"	150.00'	44.69'	S25° 56' 14"W, 44.52'
C43	90° 00' 00"	35.00'	54.98'	S27° 35' 52"E, 49.50'
C44	6° 23' 02"	250.00'	27.86'	S69° 24' 21"E, 27.84'
C45	11° 02' 36"	250.00'	48.18'	S60° 41' 32"E, 48.11'
C46	11° 27' 33"	250.00'	50.00'	S49° 26' 27"E, 49.92'
C47	11° 27' 33"	250.00'	50.00'	S37° 58' 54"E, 49.92'
C48	0° 00' 59"	250.00'	0.07'	S32° 14' 38"E, 0.07'
C49	90° 00' 00"	35.00'	54.98'	S77° 14' 09"E, 49.50'
C50	90° 00' 00"	35.00'	54.98'	N12° 45' 51"E, 49.50'
C51	29° 57' 04"	50.00'	26.14'	S47° 12' 41"E, 25.84'
C52	10° 24' 39"	50.00'	9.09'	S67° 23' 33"E, 9.07'
C53	40° 21' 43"	50.00'	35.22'	N52° 25' 00"W, 34.50'
C54	90° 00' 00"	200.00'	314.16'	N62° 24' 08"E, 282.84'
C55	40° 10' 40"	360.00'	252.44'	S52° 19' 29"E, 247.30'
C56	40° 21' 43"	310.00'	218.38'	S52° 25' 00"E, 213.89'
C57	90° 00' 00"	150.00'	235.62'	S62° 24' 08"W, 212.13'
C58	40° 21' 43"	250.00'	176.11'	N52° 25' 00"W, 172.49'
C59	40° 21' 46"	175.00'	123.28'	S52° 24' 59"E, 120.75'
C60	34° 04' 52"	250.00'	148.71'	N40° 43' 25"E, 146.52'
C61	0° 11' 03"	360.00'	1.16'	S72° 30' 20"E, 1.16'
C62	9° 11' 09"	396.00'	63.49'	S28° 10' 40"W, 63.42'
C63	6° 22' 56"	200.00'	22.28'	S69° 24' 24"E, 22.27'
C64	32° 03' 03"	35.00'	19.58'	S48° 15' 40"E, 19.32'
C65	40° 21' 43"	190.00'	133.85'	N52° 25' 00"W, 131.09'

LINE TABLE		
Line #	Direction	Length
L1	S72° 35' 52"E	12.08'
L2	S64° 40' 20"E	40.46'
L3	S15° 39' 53"W	166.80'
L4	S08° 23' 40"W	126.98'
L5	S17° 25' 44"W	125.62'
L6	S72° 35' 52"E	39.42'
L7	S27° 27' 58"W	9.06'
L8	S62° 32' 02"E	20.00'
L9	N27° 27' 58"E	8.93'
L10	N66° 35' 02"W	31.64'
L11	S65° 36' 17"W	48.39'
L12	S19° 29' 49"W	15.82'
L13	N70° 30' 11"W	20.00'
L14	N19° 29' 49"E	26.68'
L15	N38° 44' 33"W	51.01'
L16	N38° 51' 20"W	28.72'
L17	N51° 08' 40"E	25.00'
L18	S38° 51' 20"E	31.62'
L19	N38° 51' 20"W	38.93'
L20	S51° 08' 40"W	25.00'
L21	S38° 51' 20"E	36.03'
L22	N57° 45' 51"E	105.89'
L23	N11° 30' 31"E	112.75'
L24	N56° 22' 38"E	22.64'
L25	N33° 37' 22"W	20.00'
L26	S56° 22' 38"W	40.67'
L27	N35° 54' 58"W	101.91'
L28	N50° 18' 56"W	210.94'

LINE TABLE		
Line #	Direction	Length
L29	S70° 00' 34"W	115.38'
L30	N75° 54' 52"W	211.03'
L31	S77° 35' 57"W	17.88'
L32	S06° 07' 42"E	20.00'
L33	S57° 45' 51"W	58.85'
L34	S77° 14' 09"E	10.10'
L35	S32° 14' 09"E	23.38'
L36	S62° 35' 55"W	95.34'
L37	N49° 16' 23"W	90.61'
L38	N40° 43' 37"E	20.00'
L39	S49° 16' 23"E	96.74'
L40	S32° 14' 09"E	183.63'
L41	S48° 25' 22"W	96.01'
L42	S64° 28' 27"W	131.17'
L43	N27° 07' 20"E	89.32'
L44	N72° 35' 52"W	29.40'
L45	N28° 12' 41"E	48.91'
L46	N17° 24' 08"E	10.00'
L47	N83° 52' 18"E	199.55'
L48	S75° 54' 52"E	169.82'
L49	N23° 47' 17"E	10.00'
L50	S72° 35' 52"E	61.29'
L51	N16° 34' 29"E	104.40'
L52	N04° 15' 06"W	58.01'
L53	S52° 20' 36"W	165.23'
L54	S32° 14' 09"E	99.92'
L55	S06° 51' 57"W	20.48'



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CURRY FARM PHASE 1

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
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Project Number: 759171

Scale: 1"=40'

Drawn By: OPG

Checked By: JKH/ALB

Date: 3/20/2025

Issue:

Drawing Title:

PLAT

Brad Bodenmiller

From: Chris Clapsaddle <cclapsaddle@unioncountyohio.gov>
Sent: Wednesday, March 26, 2025 2:28 PM
To: Brad Bodenmiller; Brad Bodenmiller
Cc: Gram Dick; Heather Martin
Subject: RE: Copy of Distribution Letter + Plat for Curry Farm Phase 1 Final Plat

Good afternoon,
Everything looks good on the plat.

Thank you,
Chris

Chris Clapsaddle
Mapping Manager
Union County Engineer
233 West Sixth Street
Marysville, OH 43040
Ph: (937) 645-3121
cclapsaddle@unioncountyohio.gov



From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Wednesday, March 26, 2025 10:03 AM
To: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Cc: Gram Dick <gramdick@lucplanning.com>; heathermartin@lucplanning.com
Subject: Copy of Distribution Letter + Plat for Curry Farm Phase 1 Final Plat

Good afternoon,

I attached a copy of the **Distribution Letter** generated for and a **digital copy** of **Curry Farm, Phase 1 – Final Plat**. Paper copies were delivered/mailed yesterday. **Please review the Plat carefully because it was updated.** Please note the meeting dates and call with any questions. Thank you!

Note: This is one of three subdivisions being shared. (Electric providers and townships will only receive a copy of relevant subdivisions; you may only receive as few as one email.)

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



9777 Industrial Parkway
Plain City, Ohio 43064
614-873-4480

Jerome Township Zoning Department

March 28, 2025

Bradley J. Bodenmiller, Director
LUC Regional Planning Commission
10820 St. Rt. 347
East Liberty, Ohio 43319

Re.: Curry Farm, Phase 1 – Final Plat

Dear Mr. Bodenmiller,

I have received the notification of application for approval of the final plat known as Curry Farm, Phase 1 – Final Plat. Based on the provisions of the Township Zoning Resolution, my comments are as follows:

1. A detailed development plan, Case #PD21-005 DDP-001 was approved in accordance with the provisions of Chapter 500 of the Zoning Resolution to allow for development at the site, as modified. The proposed final plat complies with that approved detailed development plan, as modified.

As per usual, I plan to attend the meeting of the Commission's Zoning & Subdivision Committee and will be available to answer any additional questions regarding this letter at that time.

Sincerely,

Eric Snowden
Zoning Inspector/Planning Coordinator
Jerome Township, Union County, Ohio

Brad Bodenmiller

From: Chad Green <cgreen@marysvilleohio.org>
Sent: Monday, March 31, 2025 8:00 AM
To: Brad Bodenmiller
Cc: Kyle Hoyng
Subject: April LUC Comments

Below are the City's Comments for the April LUC submissions.

Avondale Preliminary Engineering Plan

- No comments. The project is outside the City of Marysville Service Area

Curry Farms Phase 1 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Curry Farms Phase 2 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Chad Green, P.E.

Assistant City Engineer
City of Marysville, Ohio
209 South Main Street
Marysville, Ohio 43040
(937) 645-7376 (office)
cgreen@marysvilleohio.org

Brad Bodenmiller

From: Joseph Grove <jgrove@unioncountyohio.gov>
Sent: Thursday, March 27, 2025 9:40 AM
To: Brad Bodenmiller; Brad Bodenmiller
Cc: Gram Dick; Heather Martin
Subject: RE: Copy of Distribution Letter + Plat for Curry Farm Phase 1 Final Plat

Union Soil & Water has no comments for **Curry Farm, Phase 1 – Final Plat**.

Joseph Grove
Urban Technician
Union Soil & Water Conservation District
18000 State Route 4, Suite D
Marysville, OH 43040
937-642-5871 x 2216
jgrove@unioncountyohio.gov



please consider the environment - do you really need to print this email?

From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Wednesday, March 26, 2025 10:03 AM
To: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Cc: Gram Dick <gramdick@lucplanning.com>; heathermartin@lucplanning.com
Subject: Copy of Distribution Letter + Plat for Curry Farm Phase 1 Final Plat

Good afternoon,

I attached a copy of the **Distribution Letter** generated for and a **digital copy** of **Curry Farm, Phase 1 – Final Plat**. Paper copies were delivered/mailed yesterday. **Please review the Plat carefully because it was updated.** Please note the meeting dates and call with any questions. Thank you!

Note: This is one of three subdivisions being shared. (Electric providers and townships will only receive a copy of relevant subdivisions; you may only receive as few as one email.)

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com

Brad Bodenmiller

From: Wyatt Marshall <wyatt.marshall@uchd.net>
Sent: Wednesday, March 26, 2025 11:53 AM
To: Brad Bodenmiller
Subject: Curry Farm - Phase I

Brad,

The only comment the Health Dept. has regarding the plat for Curry Farm - Phase I is if it is possible to have an easement for the property just south of the development (9324 US 42) in order to tie into sanitary sewer in the future that will service the development. The property at 9324 currently is serviced by a private on-site septic system.

Thanks!

Wyatt J. Marshall, REHS
Deputy Director of Environmental Health
Union County Health Department
940 London Ave., Ste 1100
Marysville, OH 43040
PH: 937-645-2088

Click the links below to learn more about UCHD!



A nationally accredited health district since March 2017.

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Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

March 27th, 2025

Bradley Bodenmiller
LUC Regional Planning Commission
10820 St. Rt. 347, PO Box 219
East Liberty, OH 43319

Name of Development – Curry Farm Phase 1

Details -

Number of Lots: 58
Front Setback: 25 Feet
Side Setback: 5 Feet each side
Rear Setback: 25 Feet
Placement of electric facilities – Rear Lot

Union Rural Electric Terms and Conditions - Development must comply with URE's Terms and Conditions for Supplying Electric Service.

Easement Requirements – URE has easement requirements of 20 feet for underground primary and secondary facilities.

- Actual location of electrical facilities can be located within a 10 feet easement if adjacent property has additional easements or right of way for ingress and egress totaling a minimum of 20 feet. When on a property line, require 10 ft easement on each of the adjacent properties. Developer to install creek/stream crossing (directional bore if applicable) 10 feet beyond stream protection easements (when applicable).
- Utility Easement for URE electric facilities will be joint use for phone, cable or other private communication entities (fiber).
- Allow Utility ingress and egress of open space as necessary for maintenance, repairs, replacement of electric facilities.
- Where practical, do not place the easement area over building setbacks, adjacent to is acceptable. URE does not want the primary conductor to be within five feet from the basement walls or building footers.
- Electric easements must be platted and shown on final plat plans.
- No permanent or semi-permanent structures, fencing, plantings, etc. shall be permitted in the easement areas. Said easement rights shall include the right, without liability therefore to remove trees and landscaping, including lawns within and without said easement premises which may interfere with installation or maintenance of facilities.

Street Crossings and Adjacent Property Paths - Street crossing and adjacent property paths to be determined when facilities layout is completed.

Landscape Plans - Landscape Plans shall not interfere with URE utility easements or access to URE facilities and shall comply with any regulatory and/or NESC rules.



Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

URE Contacts:

- Matt Zarnosky – V.P. Engineering and Operations - Office 937-645-9246 – Cell 716-510-6640
- Brent Ransome – Manager of Engineering – Office 937-645-9241
- Ed Peper – Engineer – Office 937-645-9240
- Ron McGlone – Engineer – Office 937-645-9263 – Cell 937-594-3787
- Beau Michael – Key Accounts – Office 937-645-9251 – Cell 937-537-0370

General Comments:

- Sheet 1-4: No Comments

Before construction commences URE will work with the developer to complete the electrical facility design and layout.

Regards,

Brent Ransome
Manager of Engineering Services
Union Rural Electric Cooperative, Inc
15461 US Hwy 36
Marysville, Ohio 43040
Direct: (937) 645-9241



Staff Report – Curry Farm Phase 2

Applicant:	AMH Development, LLC c/o James Martin 781 Brooksedge Plaza Drive Westerville, OH 43081 jmartin@amh.com CESO Inc. c/o Jon Buchanan 2800 Corporate Exchange Dr., Suite 400 Columbus, OH 43231 buchanan@cesoinc.com
Request:	Approval of Curry Farm, Phase 2 – Final Plat. <i>This Plat was tabled during the March 2025 LUC Executive Committee meeting.</i>
Location:	Located east of US 42, just south of the Pioneer Crossing subdivision Jerome Township, Union County.

Staff Analysis:	This Final Plat involves 24.671 acres of land and proposes 42 single-family residential lots. Acreages: ○ 3.145 acres in right-of-way ○ 7.884 acres in single-family residential lots ○ 13.642 acres in open space Proposed utilities: ○ City of Marysville water service ○ City of Marysville sanitary waste disposal Preliminary Plat: ○ The Preliminary Plat was approved in November 2022, and it was subsequently extended in October 2024. • Union County Engineer's Office ○ The Engineer's Office submitted comments in a letter dated 03-06-25, an email dated 03-07-25, and an email dated 03-26-25. The Engineer's Office reported the Construction Drawings are approved, but construction has not completed. Due to this, a bond or surety was required, but none has been
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	submitted/approved by the County Commissioners. The Engineer's Office recommended denial due to the outstanding bond. The Engineer's Office reserved the right to change its recommendation, should this comment be addressed prior to the LUC meetings. 1. The Map Room submitted mark-ups in a separate communication (03-07-25 email) and verified its comments were addressed (03-26-25 email). • Union County Soil & Water Conservation District ○ In an email dated 02-27-25 and an email dated 03-27-25, the District advised it had no comments. • Union County Health Department ○ No comments received as of 04-02-25. Standard comments from the Health Department are below: 1. "All efforts should be made to provide a point of connection (via easements and/or service lines) to both water and sewer to any adjacent home, business, or any other facility that is serviced by a private water system (PWS) and/or sewage treatment system (SWS)." 2. Any home, business, or other structure that is currently being serviced by a private sewage treatment system (STS) and ends up being situated within 200' of a sanitary sewer easement, shall be brought to the attention of the Union County Health Department." 3. "If at any at time during development of the subdivision a private water system (PWS) (well, cistern, etc.) or sewage treatment system (STS) is found, our office shall be immediately contacted for inspection. Proper permitting must be obtained for sealing and/or abandonment of a private water system (PWS) and sewage treatment system (STS)." • City of Marysville ○ In an email dated 03-04-25 and an email dated 03-31-25, the City advised it had no further comments.
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	• Jerome Township ○ The Township submitted updated comments in a letter dated 03-28-25. The Final Plat complies with the approved Detailed Development Plan. • ODOT District 6 ○ No comments received as of 04-02-25. • Union Rural Electric (URE) ○ In an updated letter dated 03-27-25, URE advised it had no comments. • AES Ohio ○ No comments received as of 04-02-25. • LUC Regional Planning Commission 1. Sheet 1: Please list the variance on the title sheet. In a prior CESO plat (Pioneer Crossing, Phase 4), something was noted like the following phrase: “Variance granted for right-of-way width (Section 406) – Resolution No. 22-410 – 11-09-2022”. 2. Sheet 1: Under the Surveyor’s Certificate, please add another paragraph providing the floodplain designation (§323, 11.). In a prior CESO plat (Pioneer Crossing, Phase 4), something was noted like the following phrase: “The subdivision is within flood hazard Zone “X” (outside the 0.2% annual chance floodplain), per FIRM rate map 39159Co388D, effective date December 16, 2008 unless otherwise shown”. 3. Sheet 1: Under the Surveyor’s Certificate, please add another paragraph indicating monuments shown were or will be placed by the completion date or prior to the sale of each lot (§323, 13.; §326). In a prior CESO plat (Pioneer Crossing, Phase 4), something was noted like the following phrase: “Monuments will be placed as indicated after construction and prior to the sale of any lots. All said monuments set will be per the legend shown”. 4. Sheet 2: The C36 label was removed, but it is still included in the Curve Table (Sheet 3). C36 was along Crop Row Court between C35 and an Iron Pin on the north side of the Court’s R/W line. Was this intentional? If unnecessary, please disregard this
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Logan-Union-Champaign regional planning commission

Staff Report – Curry Farm Phase 2

	comment. 5. Sheet 2: The C14 label was removed, but it is still included in the Curve Table (Sheet 3). C14 was along Crop Row Court between C15 and an Iron Pin on the south side of the Court's R/W line. Was this intentional? If unnecessary, please disregard this comment. 6. A letter is required from the County Engineer verifying all required improvements have been installed and approved by the proper officials or agencies, or verifying a bond or other surety, approved by the County Commissioners and their legal counsel, has been furnished assuring installation of the required improvements (§324, 2.; §326; §330).
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Staff Recommendations:	Staff recommends acceptance of the developer's request to TABLE the Curry Farm, Phase 2 – Final Plat.
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Z&S Committee Recommendations:	Options for action: ○ <i>Approval</i> ○ <i>Conditional Approval (state conditions)</i> ○ <i>Denial (state reasons)</i> ○ <i>Table (if requested)</i>
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CURRY FARM
PHASE 2
STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME,
VIRGINIA MILITARY SURVEY NO. 1440

SITUATED IN THE STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME, VIRGINIA MILITARY SURVEY NUMBER 1440, CONTAINING 24.671 ACRES OF LAND, MORE OR LESS, BEING ALL OUT OF THAT 50.372 ACRE TRACT OF LAND CONVEYED TO AMH DEVELOPMENT, LLC, OF RECORD IN INSTRUMENT NUMBER 202502040000896.

THE UNDERSIGNED, AMH DEVELOPMENT, LLC, BY JAMES MARTIN, DULY AUTHORIZED IN THE PREMISES, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS "CURRY FARM PHASE 2", A SUBDIVISION CONTAINING LOTS NUMBERED 22-63 INCLUSIVE, RESERVES "E" AND "F" AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATED TO PUBLIC USE, AS SUCH, ALL OR PARTS OF CROP ROW COURT, SAGEWOOD STREET, AND U.S. 42.

UTILITY EASEMENTS: WE THE UNDERSIGNED OWNERS OF THE WITHIN PLATTED LAND, DO HEREBY GRANT UNTO THE CITY OF MARYSVILLE, FRONTIER, WIDE OPEN WEST, CHARTER SPECTRUM, AES, FIBER ARMS, ZAYO FIBER SOLUTIONS, ODOT DISTRICT 6, COLUMBIA GAS OF OHIO AND THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER REFERRED TO AS GRANTEEES) A PERMANENT RIGHT-OF-WAY AND EASEMENT UNDER, OVER, AND THROUGH ALL SUBLOTS AND ALL LANDS OWNED BY THE GRANTOR AS DEPICTED HEREON (UTIL. ESMT.) TO CONSTRUCT, PLACE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT OR RELOCATE SUCH WATERLINES, SEWER LINES, UNDERGROUND ELECTRIC, GAS AND COMMUNICATION CABLE, DUCTS, CONDUITS, PIPES, GAS PIPELINES, SURFACE OR BELOW GROUND MOUNTED TRANSFORMERS AND PEDESTALS, CONCRETE PADS AND OTHER FACILITIES AS DEEMED NECESSARY OR CONVENIENT BY THE GRANTEEES FOR DISTRIBUTING, TRANSPORTING, AND TRANSMITTING ELECTRICITY, GAS AND COMMUNICATION SIGNALS FOR PUBLIC AND PRIVATE USE AT SUCH LOCATIONS AS THE GRANTEEES MAY DETERMINE UPON, WITHIN, AND ACROSS SAID EASEMENT PREMISES. NO PERMANENT STRUCTURES, PLANTINGS, ETC. SHALL BE PERMITTED IN THE EASEMENT AREAS. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT, WITHOUT LIABILITY THEREFORE TO REMOVE TREES AND LANDSCAPING, INCLUDING LAWNS WITHIN AND WITHOUT SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE, RIGHT TO INSTALL, REPAIR, AUGMENT, AND MAINTAIN SERVICE CABLES, AND PIPE LINES OUTSIDE THE ABOVE DESCRIBED EASEMENT PREMISES OR THE RIGHT OF ACCESS, INGRESS AND EGRESS TO AND FROM ANY OF THE WITHIN DESCRIBED PREMISES FOR EXERCISING ANY OF THE PURPOSES OF THIS RIGHT-OF-WAY AND EASEMENT GRANT.

DRAINAGE EASEMENTS ARE HEREBY RESERVED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "DRAINAGE EASEMENT" (DRN. ESMT.). WITHIN THOSE AREAS DESIGNATED AS "DRAINAGE EASEMENT" (DRN. ESMT.) ON THIS PLAT, AN EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES AND/OR OTHER STORM WATER DRAINAGE FACILITIES, NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT UNLESS APPROVED BY THE UNION COUNTY ENGINEER. NO BUILDING SHALL BE CONSTRUCTED IN ANY AREA OVER WHICH DRAINAGE EASEMENTS ARE HEREBY RESERVED. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT TO REMOVE, WITHOUT LIABILITY, TREES AND LANDSCAPING, INCLUDING LAWNS OR ANY OTHER STRUCTURE WITHIN SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE OR FACILITIES.

UNION RURAL ELECTRIC EASEMENTS (URE): WE THE UNDERSIGNED OWNERS OF THE WITHIN PLATTED LAND, DO HEREBY GRANT UNTO UNION RURAL ELECTRIC, FIBER ARMS AND SPECTRUM AND ZAYO FIBER SOLUTIONS AND THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER REFERRED TO AS GRANTEEES) A PERMANENT RIGHT-OF-WAY AND EASEMENT UNDER, OVER, AND THROUGH ALL SUBLOTS AND ALL LANDS OWNED BY THE GRANTOR AS SHOWN HEREON (URE ESMT.) TO CONSTRUCT, PLACE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT OR RELOCATE SUCH UNDERGROUND AND OVERHEAD ELECTRIC AND COMMUNICATION CABLE, DUCTS, CONDUITS, SURFACE OR BELOW GROUND MOUNTED TRANSFORMERS AND PEDESTALS, CONCRETE PADS AND OTHER FACILITIES AS DEEMED NECESSARY OR CONVENIENT BY THE GRANTEEES FOR DISTRIBUTING, TRANSPORTING, AND TRANSMITTING ELECTRICITY AND COMMUNICATION SIGNALS FOR PUBLIC AND PRIVATE USE AT SUCH LOCATIONS AS THE GRANTEEES MAY DETERMINE UPON, WITHIN, AND ACROSS SAID EASEMENT PREMISES. NO PERMANENT STRUCTURES, FENCING, PLANTINGS, ETC. SHALL BE PERMITTED IN THE EASEMENT AREAS. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT, WITHOUT LIABILITY THEREFORE TO REMOVE TREES AND LANDSCAPING, INCLUDING LAWNS WITHIN AND WITHOUT SAID EASEMENT PREMISES WHICH MAY INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF FACILITIES.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT JAMES MARTIN, VICE PRESIDENT, LAND DEVELOPMENT OF AMH DEVELOPMENT, LLC, OWNER OF THE LAND INDICATED ON THE ACCOMPANYING PLAT, HAVE AUTHORIZED THE PLATTING THEREOF AND DO HEREBY DEDICATE THE STREETS, ROADS, PARKS, EASEMENTS, ETC. AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

THIS _____ DAY OF _____, _____.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

AMH DEVELOPMENT, LLC

BY: _____
WITNESS

JAMES MARTIN
VICE PRESIDENT, LAND DEVELOPMENT

WITNESS

STATE OF OHIO
COUNTY OF: _____

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JAMES MARTIN, VICE PRESIDENT, LAND DEVELOPMENT OF SAID AMH DEVELOPMENT, LLC., WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF CURRY FARM PHASE 2, FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS

_____ DAY OF _____, ____

MY COMMISSION EXPIRES _____

ACREAGE BREAKDOWN

PARCEL NUMBERS: 15-0007054.0000
MAP NUMBERS: 135-00-00-035.000
ACREAGE: 24.671 ACRES

DEVELOPER:
AMH DEVELOPMENT, LLC
781 BROOKSEdge PLAZA DRIVE
WESTERVILLE, OH 43081
EMAIL: JMARTIN@AMH.COM
CONTACT: JAMES MARTIN

SURVEYOR:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 619-0515
CONTACT: MATT ACKROYD

REVIEWED THIS _____ DAY OF _____, 2025

CHAIRMAN, JEROME TOWNSHIP TRUSTEES

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY ENGINEER

APPROVED THIS _____ DAY OF _____, 2025

LUC REGIONAL PLANNING COMMISSION

RIGHTS-OF-WAY FOR PUBLIC STREETS AND ROADS HEREIN DEDICATED TO PUBLIC USE ARE HEREBY APPROVED THIS _____ DAY OF _____, 2025 FOR THE COUNTY OF UNION, STATE OF OHIO. STREET IMPROVEMENTS WITHIN SAID DEDICATED RIGHTS-OF-WAY SHALL NOT BE ACCEPTED FOR PUBLIC USE UNLESS AND UNTIL CONSTRUCTION IS COMPLETED AND ACCEPTED AS SUCH BY UNION COUNTY. IN ADDITION, STREET IMPROVEMENTS WITHIN SAID DEDICATED RIGHTS-OF-WAY SHALL NOT BE ACCEPTED FOR PUBLIC MAINTENANCE UNTIL THE MAINTENANCE PERIOD TRANSPIRES AND THE STREET IMPROVEMENTS ARE ACCEPTED FOR PUBLIC MAINTENANCE BY UNION COUNTY.

APPROVED THIS _____ DAY OF _____, 2025

UNION COUNTY COMMISSIONER

UNION COUNTY COMMISSIONER

UNION COUNTY COMMISSIONER

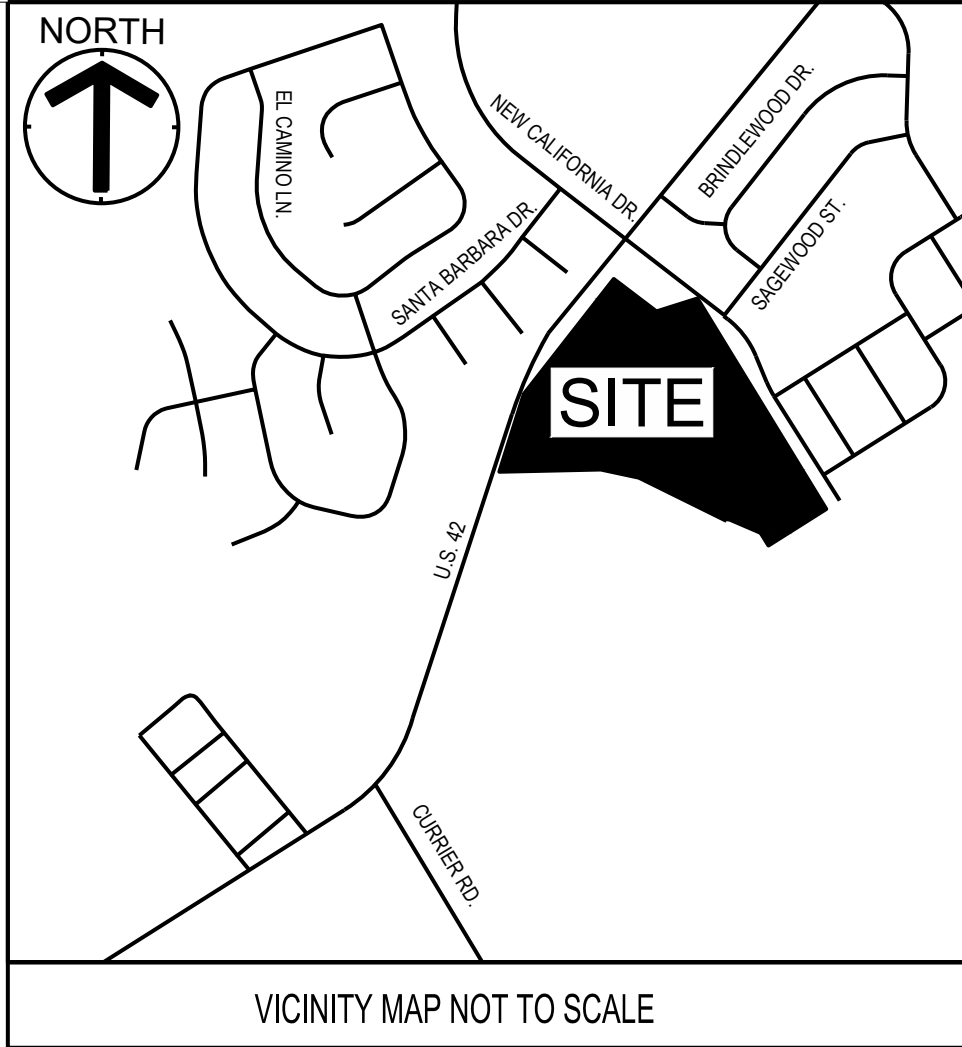
TRANSFERRED THIS _____ DAY OF _____, 2025

UNION COUNTY AUDITOR

FILED FOR RECORD THIS _____ DAY OF _____, 2025, AT _____ M.

RECORDED THIS _____ DAY OF _____, 2025 IN PLAT BOOK _____ PAGES _____ SLIDE _____

COUNTY RECORDER



CESO
WWW.CESOINC.COM

2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

ZONING

"CURRY FARM PHASE 2" IS ZONED PLANNED DEVELOPMENT DISTRICT (PD) AND SHOULD BE DEVELOPED IN ACCORDANCE WITH THE APPLICABLE REGULATION TEXT, AND WITH THE GENERAL PROVISIONS OF THE JEROME TOWNSHIP ZONING RESOLUTION.

BASIS OF BEARING

THE BEARINGS ARE BASED ON THE BEARING OF N 17°25'44" E FOR A PORTION OF THE CENTERLINE OF U.S. 42, OHIO STATE PLANE NORTH ZONE AS DETERMINED USING AN OPUS SOLUTION.

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, UNION COUNTY, OHIO.

IRON PINS

ALL IRON PINS SET ARE SOLID 5/8" REBAR WITH A CAP MARKED "CESO". MONUMENTS SHALL BE SET UPON COMPLETION OF CONSTRUCTION.

PERMANENT MARKERS

ALL IRON PINS SET ARE SOLID IRON PINS, 1" IN DIAMETER, WITH AN ALUMINUM CAP STAMPED "CESO". MONUMENTS SHALL BE SET UPON COMPLETION OF CONSTRUCTION.

CERTIFICATION

THE ACCOMPANYING PLAT REPRESENTS A SUBDIVISION OF LAND IN V.M.S. NO. 1440, JEROME TOWNSHIP, UNION COUNTY, OHIO. THE TRACT HAS AN AREA OF 3.145 ACRES IN RIGHT-OF-WAY, 7.884 ACRES IN LOTS AND 13.642 ACRES IN RESERVES MAKING A TOTAL OF 24.671 ACRES.

ALL MEASUREMENTS ARE IN FEET AND DECIMALS OF A FOOT. ALL MEASUREMENTS ON CURVES ARE CHORD AND ARC DISTANCES.

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS A CORRECT REPRESENTATION OF CURRY FARM PHASE 2, AS SURVEYED ON MAY 4, 2023.

MATTHEW J. ACKROYD, P.S.
OHIO P.S. NO. 8897

2800 CORPORATE EXCHANGE DRIVE, SUITE 400
COLUMBUS, OHIO 43231

DATE:

CESO IRON PIN LEGEND

- ⊙ IRON PIN FOUND AS DESCRIBED
- CONCRETE POST FOUND AS DESCRIBED
- IRON PIN SET (5/8"x30" REBAR W/ CESO CAP)
- △ MAG NAIL SET
- PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)

**CURRY FARM
PHASE 2**
STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
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© 2025 CESO, INC.

Project Number: 759171

Scale: N/A

Drawn By: APC

Checked By: JKH/ALB

Date: 3/20/2025

Issue: N/A

Drawing Title:

PLAT

NOTE "A": NO VEHICULAR ACCESS TO BE IN EFFECT UNTIL SUCH TIME AS THE PUBLIC STREET RIGHT-OF-WAY IS EXTENDED BY PLAT, DEED, OR EASEMENT.

NOTE "B": AT THE TIME OF PLATTING, THE LAND CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT IS SUBJECT TO THE APPLICABLE PROVISIONS OF THE JEROME TOWNSHIP ZONING RESOLUTION, AND THE TOWNSHIP IS THE ZONING AUTHORITY. AT THE REQUEST OF THE ZONING AUTHORITY AND IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS, THIS PLAT SHOWS SOME OF THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FILING OF THIS PLAT. SAID ZONING REGULATIONS ARE SHOWN FOR REFERENCE ONLY AND SHOULD NOT BE CONSTRUED AS CREATING PLAT OR SUBDIVISION RESTRICTIONS, PRIVATE USE RESTRICTIONS, COVENANTS RUNNING WITH THE LANDS OR TITLE ENCUMBRANCES OF ANY NATURE EXCEPT TO THE EXTENT SPECIFICALLY IDENTIFIED AS SUCH. THE APPLICABLE ZONING REGULATIONS MAY CHANGE FROM TIME TO TIME AND SHOULD BE REVIEWED WITH THE ZONING AUTHORITY PRIOR TO THE CONSTRUCTION OF IMPROVEMENTS TO DETERMINE THE CURRENT APPLICABLE ZONING REGULATIONS.

SINGLE FAMILY (LOTS 22-63)
MIN. LOT AREA: 6,250 SF
MIN LOT WIDTH: 50'
FRONT YARD SETBACK: 25'
REAR YARD SETBACK: 25'
SIDE YARD SETBACK: 5'

NOTE "C": ACREAGE BREAKDOWN
TOTAL ACREAGE: 24.671 ACRES
ACREAGE IN LOTS 22-63 INCLUSIVE: 7.884 ACRES
TOTAL ACREAGE IN RIGHT-OF-WAY: 3.145 ACRES
ACREAGE IN RESERVES: 13.642 ACRES

NOTE "D": AT THE TIME OF PLATTING, ALL OF THE LAND HEREBY BEING PLATTED AS CURRY FARM PHASE 2, IS IN THE FLOOD HAZARD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS DESIGNATED AND DELINEATED ON THE FEMA FLOOD INSURANCE MAP FOR UNION COUNTY, OHIO, AND INCORPORATED AREAS, MAP NUMBER 39159C0388D WITH EFFECTIVE DATE OF DECEMBER 16, 2008.

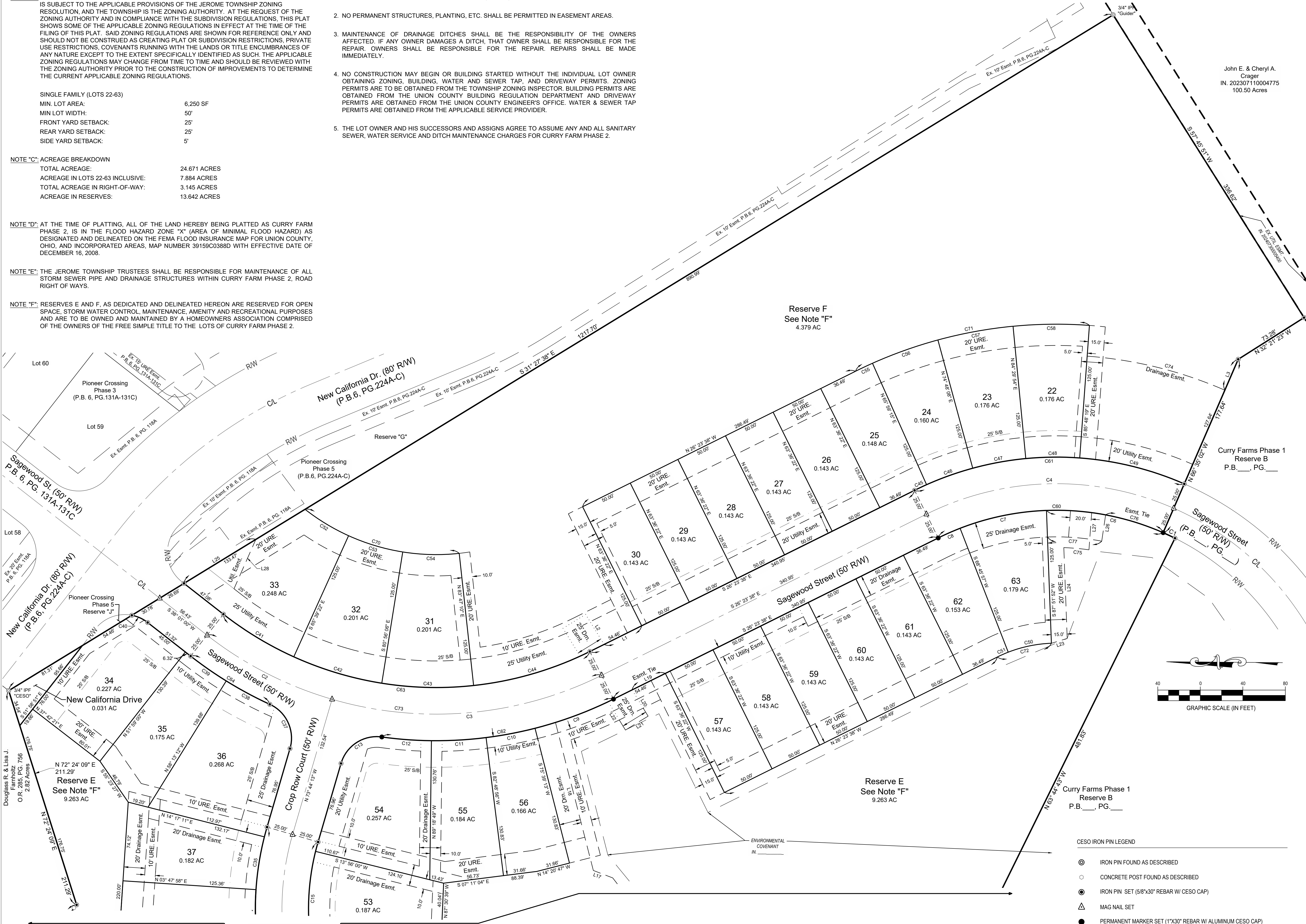
NOTE "E": THE JEROME TOWNSHIP TRUSTEES SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL STORM SEWER PIPE AND DRAINAGE STRUCTURES WITHIN CURRY FARM PHASE 2, ROAD RIGHT OF WAYS.

NOTE "F": RESERVES E AND F, AS DEDICATED AND DELINEATED HEREON ARE RESERVED FOR OPEN SPACE, STORM WATER CONTROL, MAINTENANCE, AMENITY AND RECREATIONAL PURPOSES AND ARE TO BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION COMPRISED OF THE OWNERS OF THE FREE SIMPLE TITLE TO THE LOTS OF CURRY FARM PHASE 2.

STANDARD DEED RESTRICTIONS FOR UNION COUNTY:

1. THERE SHALL BE NO DISCHARGE INTO ANY STREAMS OR STORM WATER OUTLETS OF ANY WASTE MATERIALS IN VIOLATION OF APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.
2. NO PERMANENT STRUCTURES, PLANTING, ETC. SHALL BE PERMITTED IN EASEMENT AREAS.
3. MAINTENANCE OF DRAINAGE DITCHES SHALL BE THE RESPONSIBILITY OF THE OWNERS AFFECTED. IF ANY OWNER DAMAGES A DITCH, THAT OWNER SHALL BE RESPONSIBLE FOR THE REPAIR. OWNERS SHALL BE RESPONSIBLE FOR THE REPAIR. REPAIRS SHALL BE MADE IMMEDIATELY.
4. NO CONSTRUCTION MAY BEGIN OR BUILDING STARTED WITHOUT THE INDIVIDUAL LOT OWNER OBTAINING ZONING, BUILDING, WATER AND SEWER TAP, AND DRIVEWAY PERMITS. ZONING PERMITS ARE TO BE OBTAINED FROM THE TOWNSHIP ZONING INSPECTOR. BUILDING PERMITS ARE OBTAINED FROM THE UNION COUNTY BUILDING REGULATION DEPARTMENT AND DRIVEWAY PERMITS ARE OBTAINED FROM THE UNION COUNTY ENGINEER'S OFFICE. WATER & SEWER TAP PERMITS ARE OBTAINED FROM THE APPLICABLE SERVICE PROVIDER.
5. THE LOT OWNER AND HIS SUCCESSORS AND ASSIGNS AGREE TO ASSUME ANY AND ALL SANITARY SEWER, WATER SERVICE AND DITCH MAINTENANCE CHARGES FOR CURRY FARM PHASE 2.

C:\Users\chevalier\Documents\CESOA\Curry Farm\Project Files\CESOA\05-SURVEY\Drawings\Curry Farms-Plat-Sec 2.dwg - 3/20/2025 - Andreas Chevalier



John E. & Cheryl A. Crager
IN. 202307110004775
100.50 Acres



WWW.CESOINC.COM

2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

CURRY FARM
PHASE 2

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
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Project Number: 759171

Scale: 1"=40'

Drawn By: APC

Checked By: JKH/ALB

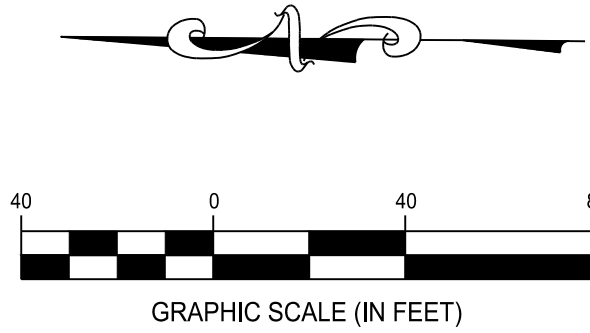
Date: 3/20/2025

Issue: N/A

Drawing Title:

PLAT

C:\Users\chevallier\Documents\CESOA\Curry Farm\Project Files\CESOA05-SURVEY\Drawings\759171-AMH-Curry Farms-Plat-Sec 2.dwg - 3/20/2025 - Andreas Chevallier



Douglass R. & Lisa J.
Farnholtz
O.R. 285, PG. 756
2.82 Acres

Reserve E
See Note "F"
9.263 AC

CURVE TABLE				
Curve	Delta	Radius	Arc Length	Chord
C1	2° 49' 21"	250.00'	12.32'	S25° 05' 40"W, 12.31'
C2	21° 45' 39"	350.00'	132.93'	S27° 08' 11"W, 132.13'
C3	42° 39' 00"	350.00'	260.53'	S5° 04' 08"E, 254.56'
C4	50° 03' 10"	275.00'	240.24'	S1° 22' 03"E, 232.67'
C5	68° 16' 37"	250.00'	297.91'	S72° 07' 29"W, 280.60'
C6	25° 49' 07"	250.00'	112.66'	S10° 46' 26"W, 111.70'
C7	19° 05' 55"	250.00'	83.33'	S11° 41' 05"E, 82.95'
C8	5° 09' 35"	250.00'	22.51'	S23° 48' 50"E, 22.51'
C9	12° 02' 51"	375.00'	78.85'	S20° 22' 13"E, 78.71'
C10	7° 09' 43"	375.00'	46.88'	S10° 45' 56"E, 46.84'
C11	7° 52' 15"	375.00'	51.51'	S3° 14' 57"E, 51.47'
C12	7° 09' 20"	375.00'	46.83'	S4° 15' 51"W, 46.80'
C13	81° 34' 44"	35.00'	49.83'	S32° 56' 51"E, 45.73'
C14	2° 19' 48"	225.00'	9.15'	S74° 54' 07"E, 9.15'
C15	22° 53' 17"	225.00'	89.88'	S87° 30' 39"E, 89.28'
C16	22° 53' 17"	225.00'	89.88'	N69° 36' 04"E, 89.28'
C17	14° 07' 37"	225.00'	55.48'	N51° 05' 37"E, 55.34'
C18	28° 55' 27"	60.00'	30.29'	N29° 34' 06"E, 29.97'
C19	21° 23' 48"	60.00'	22.41'	N4° 24' 28"E, 22.28'
C20	39° 22' 41"	60.00'	41.24'	N13° 23' 55"E, 40.43'
C21	35° 45' 20"	60.00'	37.44'	N50° 57' 55"E, 36.84'
C22	38° 40' 57"	60.00'	40.51'	N88° 11' 04"E, 39.74'
C23	38° 51' 15"	60.00'	40.69'	S53° 02' 51"E, 39.91'
C24	37° 24' 07"	60.00'	39.17'	S14° 55' 10"E, 38.48'
C25	39° 06' 11"	60.00'	40.95'	S23° 20' 00"W, 40.16'
C26	40° 21' 33"	60.00'	42.26'	S63° 03' 52"W, 41.40'
C27	20° 31' 04"	60.00'	21.49'	S72° 59' 07"W, 21.37'
C28	21° 31' 03"	60.00'	22.53'	S51° 58' 03"W, 22.40'
C29	4° 55' 16"	275.00'	23.62'	S43° 40' 10"W, 23.61'
C30	9° 32' 02"	275.00'	45.76'	S50° 53' 49"W, 45.71'
C31	9° 32' 02"	275.00'	45.76'	S60° 25' 51"W, 45.71'
C32	9° 32' 02"	275.00'	45.76'	S69° 57' 53"W, 45.71'
C33	9° 32' 02"	275.00'	45.76'	S79° 29' 55"W, 45.71'
C34	9° 32' 02"	275.00'	45.76'	S89° 01' 57"W, 45.71'
C35	10° 29' 13"	275.00'	50.33'	N80° 57' 26"W, 50.26'
C36	1° 58' 36"	275.00'	9.49'	N74° 43' 31"W, 9.49'
C37	81° 35' 29"	35.00'	49.84'	S65° 28' 03"W, 45.74'
C38	7° 06' 29"	375.00'	46.52'	S28° 13' 34"W, 46.49'
C39	6° 14' 12"	375.00'	40.82'	N34° 53' 54"E, 40.80'
C40	27° 01' 55"	35.00'	16.51'	S24° 30' 02"W, 16.36'

LINE TABLE		
Line #	Direction	Length
L1	S26° 23' 38"E	39.55'
L2	S58° 24' 30"W	33.23'
L3	N66° 35' 02"W	31.64'
L4	N37° 58' 39"E	30.95'
L5	S52° 01' 21"E	53.31'
L6	S17° 31' 32"W	118.62'
L7	N46° 24' 16"W	164.26'
L8	S43° 35' 44"W	20.00'
L9	S46° 24' 16"E	66.03'
L10	S10° 12' 04"W	149.55'
L11	S36° 03' 41"E	64.08'
L12	S82° 19' 25"E	145.23'
L13	S31° 43' 41"E	47.19'
L14	N58° 16' 19"E	20.00'
L15	N31° 43' 41"W	51.01'
L16	N52° 22' 38"E	289.47'
L17	N20° 57' 29"E	19.51'
L18	N75° 39' 13"E	143.13'
L19	S26° 23' 38"E	35.00'
L20	S58° 24' 30"W	28.90'
L21	N31° 35' 30"W	25.00'
L22	N58° 24' 30"E	31.22'
L23	N17° 00' 24"W	15.52'
L24	S87° 51' 52"W	85.49'
L25	S31° 27' 38"E	79.28'
L26	S81° 37' 02"E	25.02'
L27	S85° 48' 19"E	35.07'
L28	N66° 08' 00"W	50.79'

- CESO IRON PIN LEGEND
- IRON PIN FOUND AS DESCRIBED
 - CONCRETE POST FOUND AS DESCRIBED
 - IRON PIN SET (5/8"x30" REBAR W/ CESO CAP)
 - ▲ MAG NAIL SET
 - PERMANENT MARKER SET (1"x30" REBAR W/ ALUMINUM CESO CAP)

SEE SHEET 2

Reserve E
See Note "F"
9.263 AC

Curry Farms Phase 1
Reserve B
P.B. ____, PG. __



CESO
WWW.CESOINC.COM

2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

CURRY FARM PHASE 2

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME
V.M.S. 1440

Revisions / Submissions

ID	Description	Date
----	-------------	------

© 2025 CESO, INC.

Project Number: 759171

Scale: 1"=40'

Drawn By: APC

Checked By: JKH/ALB

Date: 3/20/2025

Issue: N/A

Drawing Title:

PLAT

Brad Bodenmiller

From: Chris Clapsaddle <cclapsaddle@unioncountyohio.gov>
Sent: Wednesday, March 26, 2025 3:11 PM
To: Brad Bodenmiller
Cc: Gram Dick; Heather Martin
Subject: RE: Copy of Distribution Letter + Plat for Curry Farm Phase 2 Final Plat

Brad,
Everything looks good on the plat.

Thanks,
Chris

Chris Clapsaddle
Mapping Manager
Union County Engineer
233 West Sixth Street
Marysville, OH 43040
Ph: (937) 645-3121
cclapsaddle@unioncountyohio.gov



From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Wednesday, March 26, 2025 10:03 AM
To: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Cc: Gram Dick <gramdick@lucplanning.com>; heathermartin@lucplanning.com
Subject: Copy of Distribution Letter + Plat for Curry Farm Phase 2 Final Plat

Good afternoon,

I attached a copy of the **Distribution Letter** generated for and a **digital copy** of **Curry Farm, Phase 2 – Final Plat**. Paper copies were delivered/mailed yesterday. **Please review the Plat carefully because it was updated.** Please note the meeting dates and call with any questions. Thank you!

Note: This is one of three subdivisions being shared. (Electric providers and townships will only receive a copy of relevant subdivisions; you may only receive as few as one email.)

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



9777 Industrial Parkway
Plain City, Ohio 43064
614-873-4480

Jerome Township Zoning Department

March 28, 2025

Bradley J. Bodenmiller, Director
LUC Regional Planning Commission
10820 St. Rt. 347
East Liberty, Ohio 43319

Re.: Curry Farm, Phase 2 – Final Plat

Dear Mr. Bodenmiller,

I have received the notification of application for approval of the final plat known as Curry Farm, Phase 2 – Final Plat. Based on the provisions of the Township Zoning Resolution, my comments are as follows:

1. A detailed development plan, Case #PD21-005 DDP-001 was approved in accordance with the provisions of Chapter 500 of the Zoning Resolution to allow for development at the site, as modified. The proposed final plat complies with that approved detailed development plan, as modified.

As per usual, I plan to attend the meeting of the Commission's Zoning & Subdivision Committee and will be available to answer any additional questions regarding this letter at that time.

Sincerely,

Eric Snowden
Zoning Inspector/Planning Coordinator
Jerome Township, Union County, Ohio

Brad Bodenmiller

From: Chad Green <cgreen@marysvilleohio.org>
Sent: Monday, March 31, 2025 8:00 AM
To: Brad Bodenmiller
Cc: Kyle Hoyng
Subject: April LUC Comments

Below are the City's Comments for the April LUC submissions.

Avondale Preliminary Engineering Plan

- No comments. The project is outside the City of Marysville Service Area

Curry Farms Phase 1 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Curry Farms Phase 2 Final Plat

- The City of Marysville does not have any further comments regarding this plat.

Chad Green, P.E.

Assistant City Engineer
City of Marysville, Ohio
209 South Main Street
Marysville, Ohio 43040
(937) 645-7376 (office)
cgreen@marysvilleohio.org

Brad Bodenmiller

From: Joseph Grove <jgrove@unioncountyohio.gov>
Sent: Thursday, March 27, 2025 9:40 AM
To: Brad Bodenmiller; Brad Bodenmiller
Cc: Gram Dick; Heather Martin
Subject: RE: Copy of Distribution Letter + Plat for Curry Farm Phase 2 Final Plat

Union Soil & Water has no comments for **Curry Farm, Phase 2 – Final Plat**.

Joseph Grove
Urban Technician
Union Soil & Water Conservation District
18000 State Route 4, Suite D
Marysville, OH 43040
937-642-5871 x 2216
jgrove@unioncountyohio.gov



please consider the environment - do you really need to print this email?

From: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Sent: Wednesday, March 26, 2025 10:03 AM
To: Brad Bodenmiller <bradbodenmiller@lucplanning.com>
Cc: Gram Dick <gramdick@lucplanning.com>; heathermartin@lucplanning.com
Subject: Copy of Distribution Letter + Plat for Curry Farm Phase 2 Final Plat

Good afternoon,

I attached a copy of the **Distribution Letter** generated for and a **digital copy** of **Curry Farm, Phase 2 – Final Plat**. Paper copies were delivered/mailed yesterday. **Please review the Plat carefully because it was updated.** Please note the meeting dates and call with any questions. Thank you!

Note: This is one of three subdivisions being shared. (Electric providers and townships will only receive a copy of relevant subdivisions; you may only receive as few as one email.)

Bradley Bodenmiller
Director | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com



Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

March 27th, 2025

Bradley Bodenmiller
LUC Regional Planning Commission
10820 St. Rt. 347, PO Box 219
East Liberty, OH 43319

Name of Development – Curry Farm Phase 2

Details -

Number of Lots: 42
Front Setback: 25 Feet
Side Setback: 5 Feet each side
Rear Setback: 25 Feet
Placement of electric facilities – Rear Lot

Union Rural Electric Terms and Conditions - Development must comply with URE's Terms and Conditions for Supplying Electric Service.

Easement Requirements – URE has easement requirements of 20 feet for underground primary and secondary facilities.

- Actual location of electrical facilities can be located within a 10 feet easement if adjacent property has additional easements or right of way for ingress and egress totaling a minimum of 20 feet. When on a property line, require 10 ft easement on each of the adjacent properties. Developer to install creek/stream crossing (directional bore if applicable) 10 feet beyond stream protection easements (when applicable).
- Utility Easement for URE electric facilities will be joint use for phone, cable or other private communication entities (fiber).
- Allow Utility ingress and egress of open space as necessary for maintenance, repairs, replacement of electric facilities.
- Where practical, do not place the easement area over building setbacks, adjacent to is acceptable. URE does not want the primary conductor to be within five feet from the basement walls or building footers.
- Electric easements must be platted and shown on final plat plans.
- No permanent or semi-permanent structures, fencing, plantings, etc. shall be permitted in the easement areas. Said easement rights shall include the right, without liability therefore to remove trees and landscaping, including lawns within and without said easement premises which may interfere with installation or maintenance of facilities.

Street Crossings and Adjacent Property Paths - Street crossing and adjacent property paths to be determined when facilities layout is completed.

Landscape Plans - Landscape Plans shall not interfere with URE utility easements or access to URE facilities and shall comply with any regulatory and/or NESC rules.



Union Rural Electric Cooperative, Inc. | 15461 US Highway 36 Marysville, OH 43040
office: 800.642.1826 or 937.642.1826 | email: services@ure.com | website: ure.com

URE Contacts:

- Matt Zarnosky – V.P. Engineering and Operations - Office 937-645-9246 – Cell 716-510-6640
- Brent Ransome – Manager of Engineering – Office 937-645-9241
- Ed Peper – Engineer – Office 937-645-9240
- Ron McGlone – Engineer – Office 937-645-9263 – Cell 937-594-3787
- Beau Michael – Key Accounts – Office 937-645-9251 – Cell 937-537-0370

General Comments:

- Sheet 1 of 3: No Comments

Before construction commences URE will work with the developer to complete the electrical facility design and layout.

Regards,

Brent Ransome
Manager of Engineering Services
Union Rural Electric Cooperative, Inc
15461 US Hwy 36
Marysville, Ohio 43040
Direct: (937) 645-9241



Logan-Union-Champaign regional planning commission

Staff Report – Dover Township (U) Zoning Amendment

Applicant:	Dover Township Zoning Commission c/o Tom Morgan (937) 243-9671 themorgans@myfarm.com
Request:	The Dover Township Zoning Commission initiated an amendment that would impact the Official Schedule of District Regulations (CADs/lot size/lot frontage), Article V Supplementary District Regulations (Adult Use Cannabis/Medical Marijuana), and related definitions in Article XII Definitions of the Zoning Resolution.
Location:	Dover Township is located in eastern Union County, bordered by Leesburg, Millcreek, and Paris townships.
Staff Analysis:	In the fall/winter of 2023, LUC Staff assisted Dover Township (U) in updating the Zoning Resolution. Among other changes, the Township increased its minimum lot sizes, minimum frontages, and prohibited Common Access Drives (CADs). Since that time, the Township and County Engineer have had a dialogue about whether prohibiting CADs entirely should be reconsidered. The Official Schedule of District Regulations • Remove CADs from the list of prohibited uses in the U-1, R-1, B-2, and M-2 Districts. • Allow no more than two (2) lots to be served by or share a CAD in the U-1, R-1, B-2, and M-2 Districts. • In the U-1 District only, the Township proposes to increase the minimum lot size from 1.5 acres to 2 acres, and to increase minimum frontage/width from 200 to 250 feet. As part of its research, the Township reviewed the minimum requirements in all Union and Champaign county Townships. Article V Supplementary District Regulations • Amends Section 572 Medical Marijuana Entities by updating the existing text to the current version of the LUC Model Text. The existing text prohibits medical marijuana entities; the proposed modification still results in these entities being prohibited. • Creates Section 573 Adult Use Cannabis Operators. The proposed text adopts Version 1 of the LUC Model Text. This would prohibit Adult Use Cultivators, Processors, and Dispensaries. Article XII Definitions



Staff Report – Dover Township (U) Zoning Amendment

	Definition changes generally match those from model text or changes incorporated recently by other jurisdictions. • Adds Adult Use Cannabis Related Definitions • Modifies Common Access Drives (CADs) • Modifies Medical Marijuana related definitions Prosecutor's Office • In an email dated 04-01-25, the Prosecutor's Office advised it had no comments.
Staff Recommendations:	LUC Staff recommends APPROVAL of the proposed zoning text amendment.
Z&S Committee Recommendations:	<i>Options for action:</i> • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i>



RE: Dover Twp (U) - Zoning Text Amendment

From Gram Dick <gramdick@lucplanning.com>
Date Tue 4/1/2025 4:18 PM
To Thayne Gray <tgray@unioncountyohio.gov>

Sounds good Thayne.

Thank you!

Gram Dick
Planner I/GIS Operator | LUC Regional Planning Commission
P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319
P: (937) 666-3431 | www.lucplanning.com

From: Thayne Gray <tgray@unioncountyohio.gov>
Sent: Tuesday, April 1, 2025 4:13 PM
To: Gram Dick <gramdick@lucplanning.com>
Subject: RE: Dover Twp (U) - Zoning Text Amendment

Thank you.
I have reviewed and have not comments.
Thayne

Thayne D. Gray
Assistant Prosecuting Attorney
Direct 937-645-4184
Cell 740-816-1864

From: Gram Dick <gramdick@lucplanning.com>
Sent: Tuesday, April 1, 2025 2:13 PM
To: Thayne Gray <tgray@unioncountyohio.gov>
Subject: Dover Twp (U) - Zoning Text Amendment

Good afternoon,

Dover Twp (U) started a zoning text amendment. This triggers a recommendation from LUC. Our committees meet on Thursday, April 10th, 2025. A link to the existing zoning resolution and map is here: <https://www.lucplanning.com/union-county-townships>.

I attached a copy of the proposed amendment to see if you have any comments you'd like our committees to consider or share. If you do not have any comments, that is perfectly fine too!

Gram Dick
Planner I/GIS Operator | LUC Regional Planning Commission

4/7/25, 12:19 PM

Mail - Gram Dick - Outlook

P.O. Box 219 | 10820 State Route 347 | East Liberty, Ohio 43319

P: (937) 666-3431 | www.lucplanning.com



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 03/19/2025

Township: Dover Twp(u)

Amendment Title: The Official Schedule of District Regulations, CIDs, Adult-Use Cannabis Operators, Medical Marijuana Entities, & Article XII Definitions

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	☒	☒
Date of Request (stated in cover letter)	☒	☒
Description of Zoning Text Amendment Change (s)	☒	☒
Date of Public Hearing (stated in cover letter)	☒	☒
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	☒	☒
Attachment of Zoning Text Amendment with changes highlighted or bolded	☐	☒
Copy of current zoning regulation, or section to be modified for comparison	☒	☒
Non-LUC Member Fee, If applicable	☒	☒

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

Date of Request.

03 19, 2025

Logan-Union-Champaign Regional Planning Commission
c/o Gram Dick
PO Box 219
East Liberty, OH 43319
gramdick@lucplanning.com

RE: Zoning Text Amendment Application, Dover Township, Union County

Amendment topic: The Official Schedule of District Regulations, CADs, Adult-Use Cannabis Operators, Medical Marijuana Entities, and Article XII definitions.

Dear LUC Regional Planning Commission Committee Members:

The Dover Township Zoning Commission met at 6:30 PM on March 19th, 2025. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~strikethrough~~. Please refer to these attachments for further information.

- Removes CADs from the list of prohibited uses in the U-1, R-1, B-2, and M-2 Districts in The Official Schedule of District Regulations.
- Increases the minimum lot size in the U-1 District from 1.5 acres to 2 acres in The Official Schedule of District Regulations.
- Increases the minimum frontage in the U-1 District from 200 feet to 250 feet in The Official Schedule of District Regulations.
- Allows no more than two (2) lots to be served by a CAD in U-1, R-1, B-2, and M-2 Districts in The Official Schedule of District Regulations.
- Establishes definitions for Adult Use Cannabis Operators & Prohibits Adult Use Cannabis Operators.
- Updates the definitions for medical Marijuana Entities & Prohibits Medical Marijuana Entities.
- Updates the definition for Common Access Drives (CADs).

Public Hearing.

The Dover Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 6:30 PM on April 16, 2025, in the Dover Township Building. The address is 16650 Church St Marysville, OH 43040.

Point of Contact.

Please consider me, Tom Morgan, Township's point of contact for this matter. My contact information is below:

Email: themorgans@myfarm.com

Phone: 937-243-9671

Sincerely,

Tom Morgan

Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and red)

Dover Township Union County, Ohio

Zoning Resolution

Amendment

DRAFT - 03-19-2025

This version: Amended and restated to reflect amendments adopted ~~December~~
18th, ~~2023~~2025.

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THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS REFERRED TO IN SECTION 410 AND ARTICLE V OF THE ZONING RESOLUTION OF THE TOWNSHIP OF DOVER, UNION COUNTY, OHIO.

12/18/2023
Date of Adoption

Chairman Board of Township Trustees

Fiscal Officer of Township Trustees

DRAFT - 03-19-2023

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (U-1 Rural District)

PERMITTED USES: Agriculture, Very Low Density Residence, Animal Hospital, Clinic, Kennel, Public Use and Quasi-Public Use, Swimming Pools with approval of the Dover Twp. Zoning Inspector.

CONDITIONAL USES: (Permitted upon issuance of a conditional permit by the Board of Zoning Appeals). Public Service Facility, Service Business, Home Occupations, Low Density Residence, Medium Density Residence, Commercial Recreation, Mineral Extractions, Light and Heavy Manufacturing, Junk Storage and Sales, Dwelling (Housing), Manufactured (Mobile Homes) Individually, and Dwelling (Housing), Manufactured (Mobile Home) Parks, Commercial Storage Business Unit, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business; ~~Common Access Drives.~~

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certification by the Zoning Appeals) Residential, Commercial, Industrial, Public and Quasi-public uses individually or in combination.

MINIMUM LOT SIZE:

Minimum lot size: ~~1.52~~ acres

Minimum frontage/width: ~~200~~ 250 feet

No lot containing ten (10) acres or less shall have a depth which is more than three (3) times its width.

COMMON ACCESS DRIVES:

RIVES:

~~No more than two (2) lots may be served by or share a common access drive.~~

MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED: (Principal and accessory building) 25 percent.

MINIMUM FLOOR AREA: (Square feet)

1,200 FOR CONVENTIONAL HOUSING; 1,200 for manufactured homes.

MAXIMUM HEIGHT OF PRINCIPAL BUILDING:

Stories: 2 ½

Feet: 35'

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MINIMUM YARD DIMENSIONS: (Feet)

Front: 50'

Rear: 40'

One side yard: 5'

Sum of side yards: 10'

ACCESSORY BUILDINGS:

Maximum height: 20' at the peak of the roof

Minimum distance in feet to side lot line: 5'

Minimum distance in feet to rear lot line: 5'

MINIMUM OFF-STREET PARKING SPACE: One unit for each family housing unit.

SIGNS PERMITTED: Yes, under Article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Except where limited by this Resolution, use of land or buildings for agricultural purposes is not affected by this Resolution and no Zoning Certificates shall be required for any such building or structure or use of land.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (R-1 LOW DENSITY RESIDENTIAL DISTRICT)

PERMITTED USES: Single Family Housing, Public and Quasi-public Uses, Home Occupation. Swimming Pools or Portable/Inflatable Pools are permitted with the approval of the Dover Township Zoning Inspector.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use permit by the Board of Zoning Appeals) Noncommercial Recreation, Service Business, Telecommunication Tower, Commercial Storage Business Unit, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business; Billboard Signs; ~~Common Access Drives~~.

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

RESIDENTIAL SUBDIVISION PLATS:

The following standards shall apply to all new residential subdivision plats having six (6) or more lots within this zoning district. (The words "Plat" and "Subdivision" shall have the same meaning as defined in ORC 711.001.) This regulation is intended to provide park and recreation facilities for the community, provide passive and active recreation opportunities, to preserve open space and sensitive natural areas, and to control the density of population.

1. The developer of any platted residential subdivision within this zoning district shall dedicate a minimum of 10% of the gross acreage of the property to permanent open space to be used by the residents of the development.
 - a. Manmade structures in which water is impounded by constructing a dam or embankment or by excavating a pit ponds are permitted within open space areas, but the area comprising these structures shall not be counted as part of the 10% permanent open space; this includes retention basins but does not include detention basins or bio-swales design for short-term storm water containment.
 - b. Private yards, street right-of-ways, and open parking areas and driveways shall not be counted as part of the 10% permanent open space.

MINIMUM LOT SIZE:

Minimum lot size with on-site sewage: 1.5 acres
Minimum frontage/width with on-site sewage: 200 feet

Minimum lot size with group or central sewage: 14,520 sq. ft.
Minimum frontage/width with group or central sewage: 100 feet

No lot shall have a depth which is more than three (3) times its width.

COMMON ACCESS DRIVES:

No more than two (2) lots may be served by or share a common access drive.

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principal and Accessory Building) 25 percent.

MINIMUM FLOOR AREA: (Square Feet)

1,450 for all single family houses. No new multi-family dwellings are permitted.

MAXIMUM HEIGHT OF PRINCIPAL BUILDING:

Stories: 2 ½
Feet: 35'

MINIMUM YARD DIMENSIONS: (Feet)

New Lot: Front-35'
Rear-40'
One Side Yard-5'
Sum of Side Yards-10'
Old Lot: Same as nearest adjoining residential structures.

ACCESSORY BUILDINGS:

Maximum Height: 15' at the peak of the roof
Minimum Distance in feet to side lot line: 5'
Minimum Distance in feet to rear lot line: 5'

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.)

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (B-2 LOCAL BUSINESS DISTRICT)

PERMITTED USES: Business Convenience-type Retail, Personal Service, Offices, Public and Quasi-public Uses, Service Business, Eating Establishments, Residential. Swimming Pools or Portable/Inflatable Pools are permitted with the approval of the Dover Township Zoning Inspector, Commercial Storage Business Unit, Billboard Signs minimum 50 Sq. Ft.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals) Public Service Facility, Dwelling (House), Manufactured (Mobile Homes) individually. Internet Sweepstakes Cafes or Gaming Establishments, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business; ~~Common Access Drives.~~

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

MINIMUM LOT SIZE:

Minimum lot size with on-site sewage: 40,000 sq. ft.
Minimum frontage/width with on-site sewage: 85 feet

Minimum lot size with group or central sewage: 0 sq. ft.
Minimum frontage/width with group or central sewage: 0 feet

No lot shall have a depth which is more than three (3) times its width.

COMMON ACCESS DRIVES:

~~No more than two (2) lots may be served by or share a common access drive.~~

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principle and Accessory Buildings) 50 percent

MINIMUM FLOOR AREA: (Square Feet)

1,200 for all Single Family Houses
1,200 for Manufactured Homes

MINIMUM YARD SETBACK DIMENSIONS: (Feet)

Front-30'

Rear-30'
One Side Yard-5'
Sum of Side Yards-10'

ACCESSORY BUILDINGS:

Maximum Height: 15' at the peak of the roof
Minimum Distance in feet to side lot line-5'
Minimum Distance in feet to rear lot line-5'

MINIMUM OFF-STREET PARKING SPACE: One space for each 200 square feet of retail or service floor area.

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Non-Residential use cannot be conducted closer than 40 feet from any Residential District.

PERMIT:

- A. No building shall be erected, constructed or developed and no building or premises shall be reconstructed, remodeled arranged for use or used for an Internet Sweepstakes Café or Gaming Establishment unless authorized by the issuance of a Conditional Use Permit granted by the Dover Township Board of Zoning Appeals.

RESTRICTIONS:

- A. No more than twelve (12) Computerized or Sweepstakes Gaming Devices per establishment per 100 sq. ft. allowing two (2) parking spaces per machine.
- B. Persons entering an Internet Sweepstakes Café or Gaming Establishment must be twenty-one (21) years of age or older.
- C. No alcoholic beverages are permitted at an Internet Sweepstakes Café or Gaming Establishment.
- D. No Internet Sweepstakes Café or Gaming Establishment shall be permitted in a location which is within a 500 foot radius of a residential or agricultural zoned district. The distance shall be measured by radius from the closest property line of the proposed Internet Sweepstakes Café or Gaming Establishment to the closest property line of the prohibitive use class.
- E. No internet Sweepstakes Café or Gaming Establishment shall be permitted in a location which is within 500 feet of another Internet

Sweepstakes Café or Gaming Establishment. The distance shall be measured by radius from the closest property line of the proposed Internet Sweepstakes Café or Gaming Establishment to the closest property line of the existing Internet Sweepstakes Café or Gaming Establishment.

- F. No Internet Sweepstakes Café or Gaming Establishment shall be permitted in a location with is within 500 feet of a church. Public or private school, park or playground, any social services facility, state licensed daycare facility or neighborhood center.

SIGNAGE:

- A. No signs shall be permitted to flash, blink, scroll, or involve any type of animation or movement. All signage must comply with Article VIII (Signs and Advertising) of the Dover Township Zoning Resolutions.

PARKING:

- A. Minimum of one parking space for each fifty (50) square feet of gross floor area.

LIGHTING:

- A. All outside lighting shall be shielded and directed away from adjacent properties.

RETAIL FOOD SALES:

- A. All food and beverage sales shall be in conformance with Union County Health District Regulations. A copy of the approved food permit shall be provided to Dover Township upon application for a conditional use permit. An annual report shall be provided to Dover Township.

SPETIC CAPACITY:

- A. Any location not serviced by sanitary sewers must undergo an evaluation by the Union County Health District to determine if the septic system is adequate for the proposed facility. A copy of the sanitary evaluation shall be provided to Dover Township when the conditional use permit is applied for.

INSPECTION AND PERMIT REVOCATION:

- A. Dover Township reserves the right to review the facilities of any Internet Sweepstakes Café or Gaming Establishment operating in the Township.
- B. Dover Township reserves the right to revoke the Conditional Use Permit of any and all Internet Sweepstakes Café or Gaming Establishment for any of the following reasons:

- |
1. An applicant who gives false or misleading information in their application or in a document or diagram related to the operation of an Internet Sweepstakes Café or gaming Establishment.
 2. An applicant or employee has knowingly allowed possession, use, or sale of controlled or illegal substances on the premises.
 3. An applicant or employee knowingly operated an Internet Sweepstakes Café or Gaming Establishment during a period of time when the applicant's Conditional Use Permit was suspended.
 4. An applicant has been convicted or pleads guilty to an offense or violation of Chapter 2915 of the Ohio Revised Code or any violation of the resolution or of any other ordinance or state law equivalent to any offense contained in Chapter 2915.
 5. An applicant or employee has knowingly allowed gambling activities prohibited by section 2915.02 of the Ohio Revised Code to occur in or on the Conditional Use premises. The term gambling shall have the same meaning as it is defined in the Ohio Revised Code section 2907.02.
 6. An applicant is delinquent in payment to Union County or Dover Township of any taxes or fees related to an Internet Sweepstakes Café or Gaming Establishment.
 7. Any other non-compliance with this Article by the owners, agents, employees, or staff of an Internet Sweepstakes Café or Gaming Establishment operating in Dover Township.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (M-2 HEAVY MANUFACTURING DISTRICT)

PERMITTED USES: Light and Heavy Manufacturing and Related Offices, Wholesale and Warehousing, Printing and Publishing, Transport Terminals, Public and Quasi-public uses, Service Business, Research Facilities.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals) Extractive Industry, Junk Storage and Sales, Public Facilities, Residential, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business; ~~Common Access Drives.~~

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

MINIMUM LOT SIZE: (Square Feet per establishment)
Minimum lot size: 120,000 sq. ft.
Minimum frontage/width: 200'

No lot shall have a depth which is more than three (3) times its width.

COMMON ACCESS DRIVES:

~~No more than two (2) lots may be served by or share a common access drive.~~

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principle and Accessory Buildings) 50 percent

MINIMUM FLOOR AREA: (Square Feet)
None

MAXIMUM HEIGHT OF PRINCIPLE BUILDING: (Feet)
Stories: 2
Feet: 30'

MINIMUM YARD DIMENSIONS: (Feet)
Front-80'
Rear-50'
Side Yard-20'
Sum of Side Yards-50'

ACCESSORY BUILDINGS:

Maximum Height: 25'

Minimum Distance in feet to side lot line: 10'

Minimum Distance in feet to rear lot line: 20'

MINIMUM OFF-STREET PARKING SPACE: One space for each employee on the maximum work shift.

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Extractive use cannot be conducted within 500 feet from any Residential District.

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7. Sales are limited to agricultural products meeting the criteria of products incident to the agricultural production and specific supporting products related to the agricultural tourism purpose such as animal feed pellets, U-Pick containers, etc.

SECTION 572 MEDICAL MARIJUANA ENTITIES

ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the township. In the interest of protecting the public health, safety, and general welfare, this section prohibits establishing zoning regulations for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796 cultivators, processors, and dispensaries within the unincorporated area of the Township.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of medical marijuana shall not be considered an "agricultural" use pursuant to ORC 519.21 (D)
2. Zoning Districts. No medical medical marijuana entity including a cultivators, processors, and/or dispensaries dispensary are prohibited within the unincorporated area of the township shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No medical marijuana cultivator cultivation, processor manufacture, and/or dispensary sale by a medical marijuana entity shall be located occur in any a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, No no medical marijuana cultivator, processor, and/or dispensary shall be permitted as operate as a home occupation.
- 2.3. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

SECTION 573 ADULT USE CANNABIS OPERATORS

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the unincorporated area of the Township.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an "agricultural" use.
2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis

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operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.

3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.

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- (b) Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities.
 - (c) Films, motion pictures, video cassettes, slides, or other photographic reproductions, which are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.
3. Adult entertainment – The sale, rental, or exhibition, for any form of consideration, of books, films, video, cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified or anatomical areas or specified sexual activity.
 4. Adult entertainment establishment or Sexually Oriented business – An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, lingerie modeling studio, nude or seminude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code is not an “adult entertainment establishment”.
 5. Adult motion picture theater – A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.
 6. Adult theater – A theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

ADULT-ORIENTED BUSINESS: An establishment having as its primary stock and trade material that is distinguished or characterized by its emphasis on sexually oriented material that is harmful to juveniles or obscene.

ADULT USE CANNABIS RELATED DEFINITIONS:

- a) Adult Use Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, “adult use cannabis” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.

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b) Adult Use Cannabis Operator. Pursuant to ORC 3780 as amended or replaced from time to time, "adult use cannabis operator" means an adult use cultivator, processor, and dispensary.

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c) Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, "cannabis" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.

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d) Cultivation Facility. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivation facility" means a facility where a cultivator is licensed by the State of Ohio to operate.

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e) Cultivate. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivate" means to grow, harvest, package, and transport adult use cannabis.

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f) Cultivator. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivator" means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport adult use cannabis.

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g) Dispensary. Pursuant to ORC 3780 as amended or replaced from time to time, "dispensary" means an entity or person licensed by the State of Ohio to sell adult use cannabis.

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h) Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, "manufacture" means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.

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i) Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marihuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.

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j) Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marijuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.

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k) Processor. Pursuant to ORC 3780 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.

l) Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

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AGRICULTURE: “Agriculture” includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Agritourism related definitions:

- **AGRICULTURAL PRODUCTION:** Commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth; land devoted to biodiesel production, biomass energy production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provide that at least fifty per cent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold. Agricultural production includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.

CHASSIS: The steel undercarriage, supporting framework to which a dwelling is permanently attached.

CLEAR FALL ZONE: An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located at, the purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not fall onto dwellings, any inhabited buildings, and will not intrude onto a neighboring property.

CLINIC: A place used for care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

CLUB: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal, or recreational purpose primarily for the exclusive use of members and their guests.

COMMERCIAL STORAGE BUSINESS UNIT: Any structure built for storage or converted for storage and is rented or leased for personal services.

COMMON ACCESS DRIVE: A Common Access Drive (CAD) is a privately constructed, privately owned, and privately maintained driveway within an ingress/egress easement, serving more than one lot (or parcel) but not more than ~~five~~^{two} lots (or parcels), properly installed in accordance with the requirements of the County Engineer and for which the ~~county~~^{County} and ~~township~~^{Township} accept NO responsibility for maintenance, either initially or at any time in the future; ~~a~~^{is} a common access drive provides an alternative to construction of public or private streets for accessing small numbers of lots and reduces the number of driveways along public roads.

COMPREHENSIVE DEVELOPMENT PLAN: A plan, or any portion thereof, adopted by the Regional Planning Commission and the board of County Commissioners showing the general location and extent of present and proposed physical facilities including housing, industrial, and community facilities. This plan established the goals, objectives, and policies of the community.

COMPUTERIZED OR SWEEPSTAKES GAMING DEVICE: Means any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object or upon payment of anything of value, may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score and which provides the user a chance to win anything of value that is not "*de minimus*" on a

MANUFACTURING, LIGHT: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structure; and generating little industrial traffic and no major nuisances.

MATERIAL: Any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch.

MEDICAL MARIJUANA RELATED DEFINITIONS:

- ~~1. Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.~~
- ~~2. Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.~~
- ~~3. Dispensary. Means an entity licensed pursuant to ORC 3796 any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.~~
- ~~4. Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.~~
- ~~5. Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.~~
- ~~6. Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.~~
- ~~7. Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.~~
- ~~8. Medical Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.~~
- ~~9. Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.~~

10. Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.

Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

MEDICAL MARIJUANA RELATED DEFINITIONS:

- a) Cultivate. Pursuant to ORC 3796 as amended or replaced from time to time, "cultivate" means to grow, harvest, package, and transport medical marijuana.
- b) Cultivator. Pursuant to ORC 3796 as amended or replaced from time to time, "cultivator" means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport medical marijuana.
- c) Dispensary. Pursuant to ORC 3796 as amended or replaced from time to time, "dispensary" means an entity or person licensed by the State of Ohio to sell medical marijuana.
- d) Manufacture. Pursuant to ORC 3796 as amended or replaced from time to time, "manufacture" means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- e) Marihuana. Pursuant to ORC 3796 as amended or replaced from time to time, "marihuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
- f) Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, "marijuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
- g) Medical Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, "medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.
- h) Medical Marijuana Entity. Pursuant to ORC 3796 as amended or replaced from time to time, "medical marijuana entity" means a medical

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marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.

i) Processor. Pursuant to ORC 3796 as amended or replaced from time to time, "processor" means an entity or person licensed by the State of Ohio to manufacture medical marijuana products.

j) Testing Laboratory. Pursuant to ORC 3796 as amended or replaced from time to time, "testing laboratory" means an independent laboratory licensed by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

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MEDIUM DENSITY RESIDENCE: A residence for single family and/or multi-family dwelling units not to exceed six (6) dwelling units per acre.

MEGAWATT (MW): A unit of power, equal to one million watts.

MINING, COMMERCIAL, QUARRIES, SAND, AND GRAVEL PITS: Any mining, quarrying, or processing of limestone, clay, sand, and gravel or other mineral sources. This is also referred to as mineral extraction.

MOBILE HOME PARK: Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structures, vehicle or enclosure used or intended for use as part of the facilities of such park.

NACELLE: A separate streamlined metal enclosure that covers the essential mechanical components of the turbine.

NON-CONFORMITIES: A building, structure, or use of land existing at the time of enactment of this Resolution and which does not conform to the regulations of the district or zone in which it is situated.

NUDITY: The showing of human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; the female breast with less than a fully opaque covering on any part of the nipple.

NURSERY, NURSING HOME: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

NURSERY, TREES AND PLANTS: A place where young trees or other plants are raised for transplanting and/or for sale.

OFFICES: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office businesses generally accommodate such occupants as administrative, executive, professional,

This Resolution is hereby adopted on this ~~18th~~ day of
~~December~~, ~~2023~~2025.

Chairman, Board of Township Trustees

Member, Board of Township Trustees

Member, Board of Township Trustees

Attest, Fiscal Officer, Township Trustees

This Resolution shall become effective in thirty days (30) after the date of its adoption.



Staff Report – Jerome Township (U) Zoning Amendment

Jurisdiction:	Jerome Township Zoning Commission c/o Eric Snowden 9777 Industrial Parkway Plain City, OH 43064 (614) 873-4480 esnowden@jerometownship.com
Applicant:	Edward & Tara Kunzelman 9317 Brock Road Plain City, OH 43064 ekunzelman@bbw.com
Request:	The Zoning Commission received an application to rezone three parcels totaling 23.36 +/- acres. The proposal would rezone the acreage from Rural Residential District (RU) to a Planned Development District (PD). Parcels involved: • 1700110330000 • 1700110344000 • 1700110345000 Existing Use: • “2 existing homes to remain” • The Auditor’s Office notes these are single-family dwellings Proposed Uses: • Dwellings, Detached Single-family (2.0 dwelling units per gross acre maximum) • Open space areas, multi-use paths, ponds and stormwater facilities. • Community facilities such as clubhouses, swimming pools, outdoor and recreational activity areas and seating including, community gardens and common mail/parcel facilities/structures. • Accessory uses as may be permitted under the regulations provided for in Chapter 645 of the Zoning Resolution. • Limited home occupations as provided for in Chapter 635 of the Zoning Resolution. • Temporary uses, including multiple temporary real estate sales office and model homes that may be co-



Staff Report – Jerome Township (U) Zoning Amendment

	located/grouped as permitted by Chapter 640 of the Zoning Resolution. Public service facilities, Essential services.
Location:	Located between US Hwy 33 and Glacier Ridge Metro Park, on the south side of Brock Road in Jerome Township, Union County, Ohio.

Staff Analysis:

This staff report considers the Jerome Township Zoning Resolution (ZR), the Jerome Township Comprehensive Plan (Jerome Plan), and the Union County Comprehensive Plan (County Plan).

Area Zoning & Vicinity Land Uses.

The lots are currently zoned Rural Residential District (RU). Adjacent zoning is Rural Residential District (RU) to the north and east. To the south and west, the adjacent zoning is Planned Development District (PD).

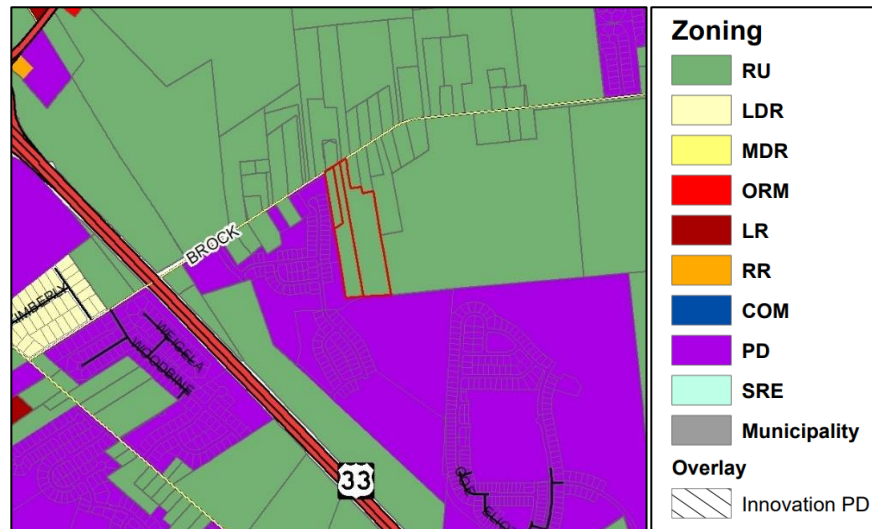


Figure 1: Jerome Twp Zoning Map

The purpose of the RU District is to preserve rural character and provide land suitable or used for very low-density residences (ZR, pp. 4-9).

The purpose of the PD District is to, among other things, “provide an opportunity for a mix of open space and other uses not otherwise permitted within the standard zoning district classifications”; “allow creation of development standards that respect the unique characteristics, natural



Staff Report – Jerome Township (U) Zoning Amendment

quality and beauty of the site and the immediate vicinity”; and, “encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district” (ZR, pp. 5-1).

Additionally, 500.01 of the Zoning Resolution identifies additional purposes relative to residential development, including clustered neighborhood design and the utilization of conservation design principles (Jerome ZR, pp. 5-1).

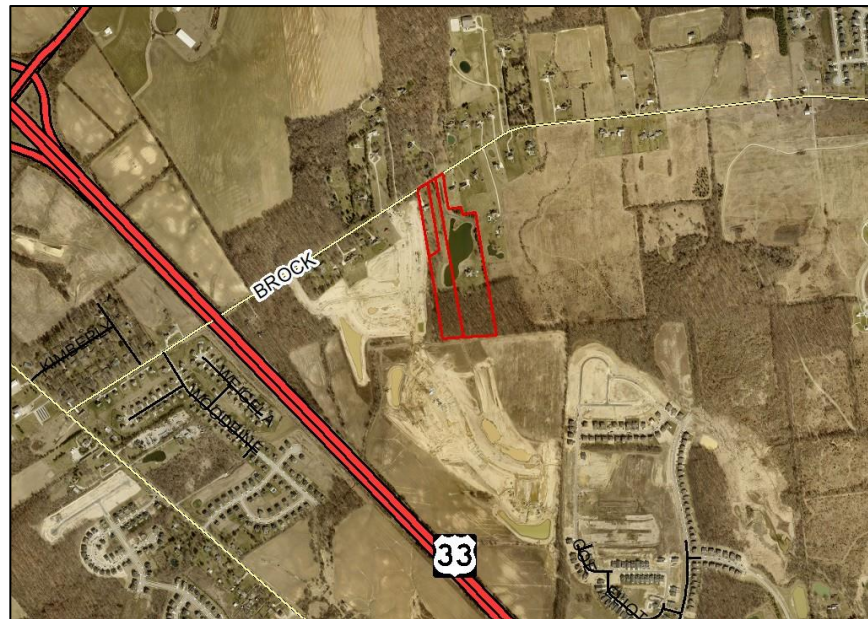


Figure 2: 2023 Aerial Imagery (Union County Auditor)

Existing, adjacent land uses consist of a mix of woodlands and single-family dwellings to the north, Glacier Ridge Metro Park to the east, and a future subdivision development (Homestead at Scotts Farm + Glacier Pointe) to the west/south/east.

Jerome Township Comprehensive Plan

The Jerome Township Plan is a guide for decision-makers considering land use changes, and Chapter 6 provides recommendations (Jerome Plan, pp. 6-2).

The Plan identifies this area as Residential Conservation District. “Residential Conservation Districts are characterized by clustering residential uses for the purpose of preserving large areas of open space and/or significant natural features. Smaller lots are approved as an incentive for developers to preserve the open space and natural features that help define



Staff Report – Jerome Township (U) Zoning Amendment

the character of the community....The amount of open space provided in a conservation development should not be less than 40% of the gross acreage of the property being developed. Depending on the design and the natural features of the site, density can range between 1 and 2 units per gross acres with 2 being the maximum density recommended” (Jerome Plan, pp. 6-8).



Agriculture / Rural Residential (28.7% of the Township)	Neighborhood Center (1.1% of the Township)
Low Density Residential (2.7% of the Township)	Local Retail (1.3% of the Township)
Medium Density Residential (11.5% of the Township)	Regional Retail (2.5% of the Township)
High Density Residential (2.8% of the Township)	Mixed Commercial and Retail (2.8% of the Township)
Office / Research / Medical (8.5% of the Township)	Conservation Development (23.7% of the Township)
Flex Office / Light Industry (8.7% of the Township)	Proposed Roads (County Thoroughfare Plan)
	Environmentally Sensitive Areas & Open Space (5.7% existing park land within the Township)

Figure 3: Land Use Plan (Jerome Plan, pp.6-3)



Staff Report – Jerome Township (U) Zoning Amendment

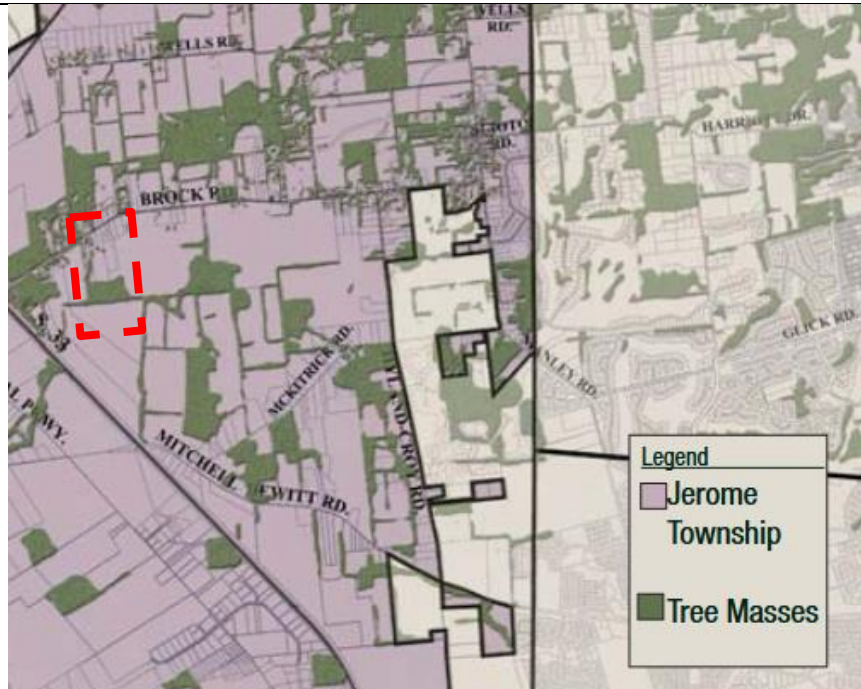


Figure 4: Tree Masses (Jerome Plan, pp.6-3)

After reviewing the conceptual plan, LUC Staff wonders how residential uses are being clustered “for the purpose of preserving large areas of open space and/or significant natural features” (Jerome Plan, 6-8). In its current iteration, the conceptual plan indicates the pond will be reduced in size and the tree stand located on the back 1/3 of the property will be converted to residential lots, right-of-way, and open space. The open spaces at the rear of the property does not appear large enough to meet the minimum criteria required by the Township to qualify in the open space minimum required in the Zoning Resolution (ZR, 5-9).

Union County Comprehensive Plan

The Union County Comprehensive Plan identifies this area as being in the “Southeast Sub-Area” which is a 2-mile buffer along U.S. 33 to the East, from Marysville to Dublin. The Union County Plan recommends a mix of uses that include residential, commercial, and high-density office that can be integrated throughout the Sub-Area in a clustered, context-sensitive manner (County Plan, pp. 72-73).

Regulation Text & Exhibits –Subareas

LUC Staff notes that there are two subareas—A and B—detailed on the “Proposed Subarea Plan” but it is not clear if



Staff Report – Jerome Township (U) Zoning Amendment

or how these will be treated differently by the Regulation Text.

Recommendation 1: LUC Staff recommends determining whether the subareas are necessary and how they may be treated differently.

Regulation Text & Exhibits –Density

The Comprehensive Plan identifies this area as Residential Conservation District and mentions that the density should not exceed 2.0 dwelling units per acre.

It appears that approximately 46 lots are being proposed according to the detailed development plan, putting the density at 1.97 dwelling units per acre.

For context, Homestead at Scotts Farm, the subdivision under construction to the south, has a proposed total density of approximately 1.8 dwelling units per acre with approximately 248 lots.

Recommendation 2: LUC Staff recommends the Township consider how more trees at the rear of the property can be preserved. The Residential Conservation District reads, “Depending on the design and the natural features of the site, density can range between 1 and 2 units per gross acres with 2 being the maximum density recommended” (Jerome Plan, pp. 6-8). This should influence the density of the PUD.

Regulation Text & Exhibits – Pedestrian Circulation

The Jerome Township Zoning Resolution encourages a pedestrian-friendly environment that is interconnected with adjacent neighborhoods (ZR, pp. 5-1). The proposed Regulation Text reads, “Multi-use path and sidewalks...shall be located as indicated on the conceptual site plan” (Access, Roads, and Other Improvements, pp. 10). Other than the lot frontages, it does not appear there are other multi-use paths.

Recommendation 3: LUC Staff recommends clarifying multi-use path/sidewalk locations. At a minimum, a connection between the two subareas and a path around the pond would seem in keeping with the PUD purposes.

Regulation Text & Exhibits – Roof Shape/Pitch

The Jerome Township Zoning Resolution requires that all buildings in a Planned Development District provide roof shape and roof pitch (ZR, pp. 5-5).



Staff Report – Jerome Township (U) Zoning Amendment

	<u>Recommendation 4:</u> LUC Staff recommends providing the roof shape and roof pitch for the single-family dwelling units because it is not included in the Regulation Text. Regulation Text & Exhibits –Lighting The Jerome Township Zoning Resolution mentions, “if applicable, a preliminary development plan shall include the type and description of all proposed street and parking lot lighting....the preliminary development plan shall specify the proposed pole and luminary design, maximum height, lighting source, wattage, shielding and any other information necessary to evaluate the lighting as proposed”(ZR, pp. 5-6). <u>Recommendation 5:</u> Although the maximum height for light posts is provided, additional detail is missing. LUC Staff recommends including a lighting plan that provides information necessary to evaluate the proposed lighting. Regulation Text & Exhibits –Open Space After reviewing the proposed development plan, LUC Staff noticed the open spaces are not dimensioned. This is important because open spaces must meet minimum criteria to count toward the 40% open space requirement. For example, “...small fragmented or isolated open space areas that have a dimension less than 75 feet in any direction” do not count toward the open space calculation (ZR, pp. 5-9). <u>Recommendation 6:</u> LUC Staff recommends providing dimensions and acreages on the conceptual plan. This will allow the Township to calculate and verify the 40% minimum open space requirement is provided.
--	---

Staff Recommendations:	LUC Staff recommends <i>DENIAL</i> of the zoning amendment as proposed. In its current iteration, the conceptual plan indicates the pond will be reduced in size and the tree stand located on the back 1/3 of the property will be converted to residential lots and right-of-way. Additional, numbered recommendations are provided in the Staff Report for the Township to review and discuss as it works-through the proposal with the applicant.
-------------------------------	---



Staff Report – Jerome Township (U) Zoning Amendment

	This recommendation is made based on requirements in the Jerome Township Zoning Resolution and the Township Comprehensive Plan (2008).
Z&S Committee Recommendations:	<i>Options for action:</i> • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i>



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Parcel Amendment Checklist

Date: 3/25/25 Township: Jenone (U)
Amendment Title: PD25-001, Kunzelman Property / Tolon

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Parcel Amendment change must be received in our office along with a cover letter, explaining the proposed zone change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (which is the second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	☒	☒
Date of Request (stated in cover letter)	☒	☒
Description of Zoning Parcel Amendment Change(s)	☒	☒
Date of Public Hearing (stated in cover letter)	☒	☒
Township point of contact and contact information for zoning amendment (stated in cover letter)	☒	☒
Parcel Number(s)	☒	☒
Copy of Completed Zoning Amendment Application	☒	☒
Applicant's Name and contact information	☒	☒
Current Zoning	☒	☒
Proposed Zoning	☒	☒
Current Land Use	☒	☒
Proposed Land Use	☒	☒
Acreage	☒	☒
Copy of Zoning Text associated with proposed district(s)	☒	☒
Contiguous and adjoining Parcel Information, including Zoning District(s)	☒	☒
Any other supporting documentation submitted by applicant	☒	☒
Non-LUC Member Fee, If applicable	☐	☐

Statement

App. Form

App. Form



Exhibit & List

N/A

Additionally, after final adoption regarding this zoning parcel amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted parcel change (s).

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St. Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

Zoning Commission
Jerome Township
Union County, Ohio

9777 Industrial Parkway
Plain City, Ohio 43064

Office: (614) 873-4480
jerometownship.us

March 24, 2025

L.U.C. Regional Planning Commission
Brad Bodenmiller, Executive Director
Box 219
East Liberty, Ohio 43319

Dear Mr. Bodenmiller:

This letter is to inform you of a proposed amendment to the Jerome Township Zoning Resolution:

Case #: PD25-001

Type: Map Amendment

Name of Applicant:

Ed & Tara Kunzelman

Location: 9317 & 9351 Brock Road, Plain City, Ohio 43064, being a 23.36 +/- acre tract located on the south side of Brock Road (CR #16), east of Ridge Road, and being parcel(s) no. 1700110344000, 1700110345000, & 1700110330000 owned by Edward R. & Tara Kunzelman as shown on the County Auditor's current tax list.

Current Zoning Dist.:

Rural Residential District (RU)

Proposed Zoning Dist.:

Planned Development District (PD)

Current Land Use:

Single-family Dwellings

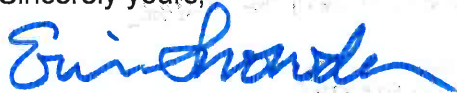
Proposed Land Use:

Single-family Dwellings

Enclosed is a copy of the application and other relevant documents and materials. A public hearing for this case before the Zoning Commission has tentatively been set for Monday, April 28, 2025 at 7:00 p.m.

If you need further information, please feel free to contact me.

Sincerely yours,



Eric Snowden
Zoning Inspector/Planning Coordinator

Enclosure

**JEROME TOWNSHIP**

UNION COUNTY, OHIO
9777 Industrial Parkway
Plain City, Ohio 43064
Office (614) 873-4480

Case #:

App. #:

Date Submitted:

Fee Amount:

Check #:

PD25-001

10756

3/19/25

\$3668.00

114

I. PARCEL INFORMATION**ZONING COMMISSION APPLICATION**

Parcel Address: 9317 Brock Road, Plain City, OH 43064			FOR MAP AMENDMENT ONLY
Parcel No.(s): 17-0011034.4000, 17-0011034.5000, 17-0011033.0000			Proposed Zoning Dist.: PD
Description of Location: 3 parcels with 2 homes on Brock Road			Number of Proposed Lots: 46
Parcel/Tract Area: 23.36 acres	Present Zoning Dist.: RU	Present Use: Residential	Existing Structures: 2 existing homes to remain
Complete Where Applicable: Engineer/Surveyor: Burgess & Niple			
Builder/Developer:			

II. OWNER OF RECORD

Owner Name(s): Edward & Tara Kunzelman	Owner Address: 9317 Brock Road, Plain City, OH 43064
---	---

III. APPLICANT INFORMATION

Applicant Name: Edward & Tara Kunzelman	Applicant Address: 9317 Brock Road, Plain City, OH 43064
Applicant Phone Number:	Applicant Email: ekunzelman@bbw.com
☒ Parcel Owner ☐ Business Owner/Tenant ☐ Attorney/Agent ☐ Architect/Engineer	

IV. PROJECT TYPE

☒ Zoning Map Amendment - Standard Zoning District	☐ Misc. Action:
☒ Zoning Map Amendment - Planned Development District	☐ Detailed Development Plan
☐ Zoning Map Amendment - Change to PD Dist. Preliminary Dev. Plan	☐ Modification of Detailed Development Plan

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Zoning Inspector.

Applicant Signature:

Date: 3-19-25

By signing, I certify that I am the owner of the real property or the owner's agent, and that the application is authorized with the full knowledge of the owner.

****FOR OFFICIAL USE ONLY****

Additional Notes: COPY	LUCRPC Review Date: 4/10/25 ☐ Approved as Submitted ☐ Approved w/ Modifications ☐ Continued ☐ Denied	Zoning Com/Hearing Date: 4/28/25 ☐ Approved as Submitted ☐ Approved w/ Modifications ☐ Continued/Other ☐ Denied/Disapproved	Trustee Hearing Date: ☐ Approved as Submitted ☐ Approved w/ Modifications ☐ Continued/Other ☐ Denied
--------------------------------------	--	---	---

Rezoning – Planned Development District

Jolan – Jerome PD

Jerome Township

Union County, Ohio

Applicant:

Jolan Limited, LLC

Ed Kunzelman

9317 Brock Road

Plain City OH 43064

ekunzelman@bbw.com

Landscape Architect:

Darren Curtis

Burgess & Niple, Inc.

Richmond, Virginia

Engineer:

Brian Tornes

Burgess & Niple, Inc.

330 Rush Alley

Columbus, OH 43215

Brian.Tornes@burgessniple.com

BURGESS & NIPLE

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1.0 APPLICATION AND SUPPLEMENTARY INFORMATION

1.1 Application Form

1.2 Property Owners

Property Owner	Property Address	Mailing Address	Parcel ID #
Edward & Tara Kunzelman	9317 Brock Road, Plain City, OH 43064	9317 Brock Road, Plain City, OH 43064	17-0011034.4000
Edward & Tara Kunzelman	9319 Brock Road, Plain City, OH 43064	9317 Brock Road, Plain City, OH 43064	17-0011034.5000
Edward & Tara Kunzelman	9351 Brock Road, Plain City, OH 43064	9351 Brock Road, Plain City, OH 43064	17-0011033.0000

1.3 Adjacent Property Owners

Property Owner	Property Address	Mailing Address	Parcel ID #
Lawrence and Tracy Tinlin	9307 Brock Rd, Plain City, OH 43064	9307 Brock Rd, Plain City, OH 43064	17-0011034.6000
David & Mary Ann Manion	9313 Brock Rd, Plain City, OH 43064	9313 Brock Rd, Plain City, OH 43064	17-0011034.3000
Anthony & Carolyn Horne	9315 Brock Rd, Plain City, OH 43064	9315 Brock Rd, Plain City, OH 43064	17-0011034.1000
Kimberly Frazer	9316 Brock Rd, Plain City, OH 43064	9316 Brock Rd, Plain City, OH 43064	17-0011022.6000
Ross and Rosallin Wylie	9320 Brock Rd, Plain City, OH 43064	9320 Brock Rd, Plain City, OH 43064	17-0011022.7000
Nathan and Angela Maust	9314 Brock Rd, Plain City, OH 43064	6915 Bishops Crossing Circle, Dublin, OH 43016	17-0011022.0000
Board of Park Commissioners (Ohio Metro Parks)	9219 Brock Rd, Plain City, OH 43064	1069 W Main St, Westerville, OH 43081	17-0011034.7000
Pulte Homes of Ohio (Homestead @ Scotts Farm)	9521 Brock Rd, Plain City, OH 43064	475 Metro Place South, Dublin, OH 43017	17-0011029.1030 17-0011029.1650 17-0011029.1000
Matthew Hoffman (Trustee)	9312 Brock Rd, Plain City, OH 43064	9312 Brock Rd, Plain City, OH 43064	17-0011023.1000
Douglas & Lorrena Peterson	9310 Brock Rd, Plain City, OH 43064	9310 Brock Rd, Plain City, OH 43064	17-0011022.2000
Roig Silke	9308 Brock Rd, Plain City, OH 43064	9308 Brock Rd, Plain City, OH 43064	17-0011022.300
Sara Everett	9306 Brock Rd, Plain City, OH 43064	9306 Brock Rd, Plain City, OH 43064	17-0011022.4000
Chris and Sarah Thomas	9305 Brock Rd, Plain City, OH 43064	6091 Perimeter Lakes Dr, Dublin, OH 43017	17-0011034.9000
Raymond & Elizabeth Bohac	9362 Brock Rd, Plain City, OH 43064	9362 Brock Rd, Plain City, OH 43064	17-0011023.2000

1.4 Zoning State ment

Statement on Current Zoning District and Use, Proposed Zoning District and Use and the Relationship of the Proposed Zoning Map Amendment to Jerome Township Comprehensive Plan for Jolan - Jerome Planned Development.

The Statement is attached, incorporated into and made part of the Zoning Amendment application by Jolan Limited, LLC for 23.36 +/- acres of property located on Brock Road. The property consists of multiple parcels owned by Edward and Tara Kunzelman and includes the following Parcel Numbers:

- 17-0011034.4000
- 17-0011034.5000
- 17-0011033.0000

The parcels are currently zoned Rural Residential District (RU). Consistent with the Jerome Township Comprehensive Plan, the site is proposed to be rezoned to Planned Development District (PD) for residential development.

The January 2025 Jerome Township Zoning Map shows properties to the immediate south and west of the subject property as Planned Development. Properties to the immediate north and east of the subject property are shown as Rural Residential.

Rezoning this property will bring it more in line with existing zoning of the adjacent PD developments. Jolan Limited, LLC feels that the requested rezoning of this property from the RU district to the PD district provides for uses and development standards which bring the property in compliance with the recommendations of the Jerome Township Comprehensive Plan.

1.5 Significant Control of Land – Deeds

EXISTING DESCRIPTION
ACCEPTABLE FOR TRANSFER
DATE 6/29/11 SS
JEFF STAUCH, UNION CO. ENG.

TRANSFERRED

378279

TERESA L. MARKHAM
RECORDER, UNION CO., OHIO

JUN 29 2011

2011 JUN 29 PM 3:04

128.00

ANDREA WEAVER, AUDITOR
This conveyance has been examined and the Grantor
complied with Section 319.202 of the Revised Code
FEE \$ 1000.00 CTW
EXEMPT

The above line used only for the recorders office

2011-0502

SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS, that Marty Lee Parker and Ann Tracy-Parker, aka Ann Elizabeth Parker, husband and wife, (Grantors), for valuable consideration paid, grant with general warranty covenants to Edward R. Kunzelman, II, and Tara Kunzelman, husband and wife, (Grantee's) for their joint lives, remainder to the survivor of them, whose tax-mailing address is:

9317 Brock Rd Plain City, OH 45004

The following REAL PROPERTY: Situated in the State of Ohio, County of Union, Township of Jerome, V.M.S. 6310, being part of Charles William Shriver, Trustee's original 169.16 acre tract described in Deed Volume 314, page 641, and being more particularly described as follows:

Beginning for reference at a 5/8" iron pin found at the intersection of the centerline of Brock Road (C.R. #16, 60 feet wide) with the north line of V.M.S. 6310 and the south line of V.M.S. 5261, said iron pin marking an angle point in the north line of said 169.16 acre tract and an angle point in the centerline of said road;

thence South 53 degrees 00' 00" West (assumed bearing) 958.53 feet, entering V.M.S. 6310 and following the centerline of Brock Road and the north line of said 169.16 acre tract, passing at 500.53 feet, at 640.53 feet, and at 799.53 feet, railroad spike found, to a railroad spike found at the northwest corner of Anthony E. and Carolyn A. White-Horne's 1.500 acre tract described in Official Record 51, page 406 (said 1.500 acre tract previously cut out of the said original 169.16 acre tract), said iron pin marking the place of beginning;

thence South 13 degrees 44' 38" East 415.90 feet, following the southwest line of said 1.500 acre tract and passing at 32.65 feet an iron pin found, to an iron pin found at the southwest corner of said 1.500 acre tract,

thence North 76 degrees 15' 22" East 146.09 feet, following the southeast line of said 1.500 acre tract, to an iron pin found at the southeast corner of said 1.500 acre tract;

thence South 13 degrees 44' 38" East 86.31 feet to an iron pin set;

thence North 76 degrees 15' 22" East 146.08 feet to an iron pin set;

thence South 13 degrees 44' 38" East 1433.32 feet, passing at 865.00 feet an iron pin set, to an iron pin set in the north line of David J. Scott, Phillip E. Scott, and Jerry L. Scott, Trustees' 24 acre tract described in Deed Volume 331, page 566;

thence South 80 degrees 58' 44" West 385.35 feet, following the north line of said 24 acre tract, to an iron pin set;

thence North 13 degrees 44' 38" West 1864.32 feet, passing at 541.32 feet and at 1831.67 feet iron pins set, to a railroad spike set in the centerline of Brock Road and in the north line of said 169.16 acre tract;

thence North 53 degrees 00' 00" East 100.00 feet, following the centerline of Brock Road and the north line of said 169.16 acre tract, to the place of beginning, containing 13.804 acres, more or less.

The above description was prepared from an actual field survey made under the supervision of Paul R. Clapsaddle, Registered Surveyor #6140, during the month of February, 1997, Iron pins set are 5/8" by 30" reinforcing rods with caps marked "CLAPSADDLE R.S. #6140." Bearings indicated hereon are based on an assumed meridian and are to denote angles only.

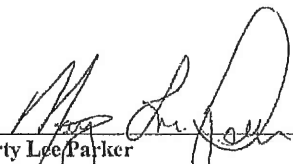
Parcel Number: 17-0011034.400
~~MAP NUMBER:~~ 176-00-00-003.004
More Commonly Known As: 9317 Brock Road, Plain City, OH 43064

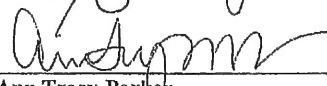
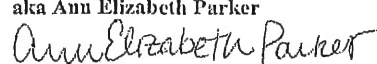
Prior Instrument Reference: Official Record Volume 864, Page 162, and Record 558, Page 796, Recorder's Office, Union County, Ohio.

Subject to: taxes and assessments which are now or may hereafter become liens on said premises and conditions, restrictions, and easements, if any, contained in prior instruments of record for said premises.

EXECUTED ON this June 13, 2011.

The grantors' release dower herein.


Marty Lee Parker


Ann Tracy-Parker,
aka Ann Elizabeth Parker


STATE OF OHIO,

SS:

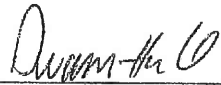
COUNTY OF FRANKLIN

BE IT REMEMBERED, that on this June 13, 2011, before me, the subscriber, a Notary Public in and for said county, personally came Marty Lee Parker and Ann Tracy-Parker, aka Ann Elizabeth Parker, husband and wife, the above named Grantors in the foregoing deed, and acknowledged the signing of the same to be his/her/their voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



DWANE HALL
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 10/5/2012


NOTARY PUBLIC

This instrument was prepared by:

Ryan D. Kuhn
Attorney at Law

EXISTING DESCRIPTION
ACCEPTABLE FOR TRANSFER
DATE 6/29/11 SB
JEFF STAUCH, UNION CO. ENG.

TERESA L. MARKHAM
RECORDER, UNION CO., OHIO
TRANSFERRED
2011 JUN 29 PM 3:06
28.00

JUN 29 2011

ANDREA WEAVER, AUDITOR
This conveyance has been examined and the Auditor
complied with Section 319.202 of the Revised Code
FEE \$ 140.00
EXEMPT

378281

The above line used only for the recorders office

2011-0501

SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS, that Marty Lee Parker and Ann Tracy-Parker, aka Ann Elizabeth-Parker, husband and wife, (Grantors), for valuable consideration paid, grant with general warranty covenants to Edward Kunzelman, II, and Tara Kunzelman, husband and wife, (Grantee's) for their joint lives, remainder to the survivor of them, whose tax-mailing address is:

9317 Brock Rd Plain City, OH 43064

The following REAL PROPERTY: Situated in the State of Ohio, County of Union, Township of Jerome, V.M.S. 6310, being part of Charles William Shriver, Trustee's original 169.16 acre tract described in Deed Volume 314, page 641, and being more particularly described as follows:

Beginning for reference at a 5/8" iron pin found at the intersection of the centerline of Brock Road (C.R. #16, 60 feet wide) with the north line of V.M.S. 6310 and the south line of V.M.S. 5261, said iron pin marking an angle point in the north line of said 169.16 acre tract and an angle point in the centerline of said road;

thence South 53 degrees 00' 00" West (assumed bearing) 1058.53 feet, entering V.M.S. 6310 and following in the centerline of Brock Road and the north line of said 169.16 acre tract, passing at 500.53 feet, at 640.53 feet, at 799.53 feet, and at 958.53 feet, railroad spikes found, to a railroad spike set and marking the place of beginning;

thence South 13 degrees 44' 38" East 1864.32 feet, departing from the centerline of Brock Road and entering said 169.16 acre tract, passing at 32.65 feet and at 1323.00 feet iron pins set, to an iron pin set in the north line of David J. Scott, Phillip E. Scott and Jerry L. Scott; Trustees' 24 acre tract described in Deed Volume 331, page 566;

thence South 80 degrees 58' 44" West 234.00 feet, following the south line of said 169.16 acre tract and the north line of said 24 acre tract, passing at 229.00 feet an iron pin set, to a wood corner post found at the southeast corner of David J. Scott, Phillip E. Scott, and Jerry L. Scott, Trustees' original 103.25 acre tract described in Deed Volume 331, page 566;

thence North 13 degrees 32' 52" West 956.10 feet, passing at 5.00 feet an iron pin set, to an iron pin found at the southwest corner of Kermit N. Morse III and Jana L. Morse's 2.50 acre tract described in Deed Volume 333, page 63;

thence North 52 degrees 48' 17" East 150.49 feet, following the southeast line of said 2.50 acre tract, to an iron pin found at the southeast corner thereof;

thence North 13 degrees 44' 38" West 789.59 feet, following the east line of said 2.50 acre tract and passing at 763.66 feet an iron pin found, to a railroad spike found in the centerline of Brock Road;

thence North 53 degrees 00' 00" East 100.00 feet, following the centerline of Brock Road and the north line of said 169.16 acre tract, to the place of beginning, containing 7.062 acres, more or less.

The above description was prepared from an actual field survey made under the supervision of Paul R. Clapsaddle, Registered Surveyor #6140, during the month of February, 1997, Iron pins set are 5/8" by 30" reinforcing rods with caps marked "CLAPSADDLE R.S. 6140." Bearings indicated hereon are based on an assumed meridian and are to denote angles only.

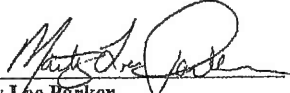
Parcel Number: 17-0011034.500
~~Map Number:~~ 136-00-00-003.005
More Commonly Known As: 9317 Brock Road, Plain City, OH 43064

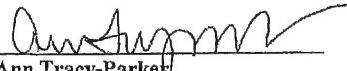
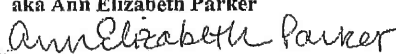
Prior Instrument Reference: Official Record Volume 864, Page 162, and Volume 558, Page 796, Recorder's Office, Union County, Ohio.

Subject to: taxes and assessments which are now or may hereafter become liens on said premises and conditions, restrictions, and easements, if any, contained in prior instruments of record for said premises.

EXECUTED ON this June 13, 2011.

The grantors' release dower herein.


Marty Lee Parker


Ann Tracy-Parker,
aka Ann Elizabeth Parker


STATE OF OHIO,

SS:

COUNTY OF FRANKLIN

BE IT REMEMBERED, that on this June 13, 2011, before me, the subscriber, a Notary Public in and for said county, personally came Marty Lee Parker and Ann Tracy-Parker, aka Ann Elizabeth Parker, husband and wife, the above named Grantors in the foregoing deed, and acknowledged the signing of the same to be his/her/their voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



DWANE HALL
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 10/5/2013


NOTARY PUBLIC

This instrument was prepared by:

Ryan D. Kuhn
Attorney at Law

TRANSFERRED
ANDREA L. WEAVER, UNION COUNTY AUDITOR

SEP 07 2021

This conveyance has been examined and the Grantor
complied with Section 318.202 of the Revised Code.
FEE \$ 1120.00 EXEMPT T.S.

202109070011987 9/7/2021
Pages: 2 F: \$34.00 3:33 PM
Karen J. Riffe T20210008305
Union County Recorder DOC: DEED

GENERAL WARRANTY DEED With Rights of Survivorship

Kermit N Morse III and Jana L Morse, husband and wife, consideration paid; grant(s), with
general warranty covenants, to

Edward Kunzelman and Tara Kunzelman, husband and wife, for their joint lives remainder to the
survivor of them

whose tax-mailing address is: 8805 Governors Hill Drive, Cincinnati, Ohio 45249

the following REAL PROPERTY:

See Exhibit A

Subject to taxes and assessments which are not yet due and payable and which are now or may
hereafter become liens on said premises and except conditions and restrictions and easements, if
any, contained in former deeds of record for said premises, subject to all of which this
conveyance is made.

DEED VOL.

Prior Instrument ~~611211~~ Recorder's 333/63 Office of Union County, OH.

WITNESS MY hand(s) this 31 day of August 20 21.

Signed and acknowledged in the presence of:

Kermit N Morse III
Kermit N Morse III

Jana L Morse
Jana L Morse

STATE OF Ohio } SS.
COUNTY OF Delaware } SS.

BE IT REMEMBERED, That on this 31 day of August 20 21, before me, a Notary
Public, in and for said State, personally came Kermit N Morse III and Jana L Morse,
husband and wife the Grantor(s) in the foregoing deed, and acknowledged the signing
thereof to be their voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal
on the day and year last aforesaid.



AARON AUERBACH
NOTARY PUBLIC • STATE OF OHIO
My Commission Expires 7/9/2023 Notary Public

This Instrument was prepared by: Attorney Robert R. Rowland
3996 North Hampton Drive, Powell, Ohio 43065

EXHIBIT A

Situated in the State of Ohio, County of Union, Township of Jerome, being part of the VMS no 6310 and boundaries and describe as follows:

Beginning at a point in the center of Brock Road (CH No 16-A), said point being the northwesterly corner of the 171.66 acre Tract described in Union County Deed Record Volume 194, page 284, thence with a northerly line of said tract, being the centerline of said Brock Road North 53 deg 00' East 150 feet to a point, thence South 13 deg 51' East (passing over an iron pin at 26.75 feet) 789.59 feet to an Iron pin: thence South 53 deg 00' West 150 feet to an Iron pin in the westerly line of said 171.66 acre tract; thence with said westerly line North 13 deg 15' West (passing over an iron pin at 763.59 feet) 789.59 feet to the point of beginning. Contains 2.5 Acres.

FOR INFORMATIONAL PURPOSES ONLY:
ADDRESS: 9351 Brock Road Plain City OH 43064
Map Number: 136-00-00-002.000
Parcel NO: 1700110330000

EXISTING DESCRIPTION
ACCEPTABLE FOR TRANSFER
DATE 9/7/2021 JS
JEFF STAUCH, UNION CO. ENG.

1.6 Project Schedule of Development

Task Description	Target Dates
Submit Zoning Application	3/20/2025
LUC Meeting	3/15/2025
Zoning Commission Meeting	4/10/2025
Board of Township Trustees Meeting	4/28/2025
Hearing Date	TBD
PD Approval	5/6/2025
Begin Detailed Development - Subarea A	5/31/2025
File Permits - Subarea A	12/18/2025
Final Permitting Approval - Subarea A	4/1/2025
Break Ground on Development - Subarea A	5/1/2025
Begin Detailed Development - Subarea B	5/1/2028
File Permits - Subarea B	12/1/2028
Final Permitting Approval - Subarea B	4/1/2029
Break Ground on Development - Subarea b	5/1/2029

2.0 PLANNED DEVELOPMENT DISTRICT REGULATION TEXT

Development Name: Jolan - Jerome PD

Applicant: Jolan Limited, LLC

Applicant Representative: Ed Kunzelman
Jolan Limited, LLC
9317 Brock Road
Plain City OH 43064
ekunzelman@bbw.com

Landscape Architect: Darren Curtis
Burgess & Niple, Inc.
Richmond, VA

Engineer: Brian Tornes
Burgess & Niple, Inc.
330 Rush Alley
Columbus, OH 43215
Brian.Tornes@burgessniple.com

Application Date: March 20, 2025

Date of Revision:

Date of Adoption: _____

2.1 Introduction

The Jolan Limited, LLC – Jolan Development (the “Development or “Site”) is proposed as a residential community of detached, single-family dwellings and other uses as provided for herein. The site consists of approximately 23.36 +/- acres of real property located on the south side of Brock Road and north of the future Homestead at Scotts Farm Subdivision Road.

This regulation text is a part of the preliminary development plan provided for by Chapter 500 of the Zoning Resolution and is adopted in accordance with provisions of that Chapter and governed by the regulations provided therein. The preliminary development plan attached to this application for an amendment of the Official Zoning Map is adopted for the purposes provided for in Section 500.001 and as may be further described in the document entitled: “The Relationship of the Proposed Amendment to the Official Zoning Map to the Jerome Township Comprehensive Plan” as attached to this application.

2.2 Permitted Uses

Within this Planned Development District, the following uses shall be permitted:

1. Dwellings, Detached Single-family
2. Open space areas, multi-use paths, ponds and stormwater facilities.
3. Community facilities such as clubhouses, swimming pools, outdoor and recreational activity areas and seating including, community gardens and common mail/parcel facilities/structures.
4. Accessory uses as may be permitted under the regulations provided for in Chapter 645 of the Zoning Resolution.
5. Limited home occupations as provided for in Chapter 635 of the Zoning Resolution.
6. Temporary uses, including multiple temporary real estate sales offices and model homes that may be co-located/ grouped as permitted by Chapter 640 of the Zoning Resolution.
7. Public service facilities, Essential services

2.3 Development Standards

Within this Planned Development District, the following development standards shall apply to all uses:

1. **Maximum Density.** The maximum density shall not exceed 2.0 dwelling units per gross acre.

2. **Setbacks.** The minimum setbacks and yard areas shall be as indicated in this section. Setbacks indicated as applying to or from a road shall apply from the right-of-way line, except where a future right-of-way width is greater.

a) **Lot Setbacks:**

- i) Front Yard Setback: 15 feet
- ii) Rear Yard Setback: 15 feet
- iii) Side Yard Setback: 5 feet

3. **Minimum Lot Width, Area and Depth.** The minimum dimensions for all residential lots shall be as follows:

- a) **Minimum Lot Width:** 60 feet
- b) **Minimum Lot Area:** 7,500 square feet
- c) **Minimum Lot Depth:** 125 feet

4. **Maximum Lot Coverage.** The maximum lot coverage for all residential lots shall 50%

5. **Building Standards.** The following development standards shall apply to all residential dwellings and other structures in this PD District:

- a) **Floor Area.** The minimum floor area of each dwelling shall be no less than 1,300 square feet.

- b) **Materials.** Exterior materials for all buildings will be wood, engineered wood, brick, thin brick, stone, manufactured stone, stucco, composite, cellular PVC, fiber cementitious siding, vinyl siding or any combination thereof. Natural colors shall be used. Sample building depictions that are illustrative of the quality and architectural detail of the homes to be built are provided as exhibits to this application. Architectural details, including colors and materials, shall be included with the application for approval of the detailed development plan.

- c) **Building Height.** The maximum height of all structures shall not exceed 35 feet.
6. **Architectural Diversity.** Architectural diversity standards shall apply to all dwellings as follows:
- a) No two (2) residential dwellings of the same front elevation shall be constructed within two (2) residential dwellings adjacent to, across from, or diagonal from each other. Residential dwellings with the same or similar footprint may be allowed within this distance provided that such residential dwellings incorporate substantial differences in the front elevations such as material and/or color changes, configuration of the front porch, etc. The standards for architectural diversity shall be included in the restrictive covenants and enforced by the owners' association.
7. **Signage.** There will be no residential development entry signs proposed for this development.
8. **Parking and Loading Areas.**
- a) All dwellings shall provide two enclosed parking spaces within an attached garage.
9. **Access, Roads, and Other Improvements.**
- a) Vehicular access to the site shall be as shown on the conceptual site plan, subject to the approval of the relevant public regulatory agencies.
- b) The conceptual site plan depicts direct access to Brock Road, and future Homestead at Scotts Farm Subdivision Road. All roads, including internal roads and external improvements adjacent to the Development shall meet the requirements of and be approved by the County Engineer's Office or other relevant regulatory agency.
- c) Multi-use path and sidewalk widths are generally 8 feet and 4 feet wide respectively and shall be located as indicated on the conceptual site plan.
- d) Stormwater management facilities, utilities and other required public improvements shall be designed to the standards established by or as otherwise approved by the County Engineer's Office or other relevant regulatory agency. Improvements are subject to final design and engineering and may be revised in

order to meet the regulations or requirements established by the Union County Engineer, OEPA, USACE and/or any other state or federal regulatory having jurisdiction over such matters.

10. Screening & Landscaping. Landscaping shall be as depicted on the conceptual site plan, landscape plans, or other plans and exhibits, and shall comply with all applicable provisions of the Zoning Resolution related to landscaping, including the provisions of Sections 500.06(10), 620.03 and 620.04.

- a. Perimeter landscape screening and buffering areas shall be provided in the areas indicated on the conceptual landscape plan. This requirement may be met by one of the following buffer types:
 - i. Buffer Type 'A': Consisting of preserved existing trees and understory vegetation.
 - ii. Buffer Type 'B': Consisting of a mixture of evergreen, deciduous, and ornamental trees. Trees included within this buffer area shall be installed at an average rate of seven (7) evergreen trees, two (2) large deciduous shade trees (2 ½ caliper) and one (1) ornamental tree per one hundred (100) linear feet. All trees shall be staggered to create a natural appearance. This buffer may include earth mounding subject to drainage requirements and necessary utility easements. In accordance with Section 620.04 of the Zoning Resolution, all required trees shall be at least six (6) feet high at the time of planting.
 - iii. Buffer Type 'C': Consisting of preserved existing trees and understory vegetation and additional evergreen and deciduous trees to supplement openings or gaps in the preserved existing vegetation.

11. Open Space Areas. Open space areas shall be provided at a minimum of 40% of the gross land area of the entire tract and configured as generally shown on the conceptual site plan and other plans and exhibits. The open space area(s) may contain infrastructure, stormwater basin(s), landscaping, signage, and other structures or uses as further depicted within the preliminary development plan and consistent with the definition of open space provided for in Chapter 300 of the Zoning Resolution.

- a) Open space areas may also contain site amenities such as a outdoor or recreational activity areas, community gardens, common mail/parcel facilities/structures and similar structures. Where such structures or areas are conceptually planned, building mass, setbacks, or similar details are indicated on the conceptual site plan, however these locations are subject to adjustment at the time of the detailed development plan review.

- b) The setbacks to any delineated streams, ditches, other water courses and/or any delineated wetlands shall be established in compliance with the appropriate regulating agency (e.g., USACE or OEPA). The location of any such riparian buffers or setback areas for such streams, ditches, other water courses and/or any delineated wetlands are subject to final design and engineering and may be revised in order to meet the regulations or requirements established by the Union County Engineer, OEPA, USACE and/or any other state or federal regulatory having jurisdiction over such matters.
- c) Open space shall be owned and maintained by an association comprised of the owners of the lots and funded by the homeowners as provided herein. In accordance with Section 500.06(12) further subdivision or development of open space areas shall be prohibited and such restriction shall be indicated in the Applicant's deed restrictions.

12. Lighting. Exterior lighting shall conform to all applicable requirements of the Zoning Resolution with the following exceptions:

- a) An exterior light posts no higher than six (6) feet in height shall be permitted within the front yard setback.

2.4 Development Standards Not Provided

In accordance with Section 500.04(2) of the Zoning Resolution, the standards and regulations provided in this regulation text shall constitute the zoning regulations for and shall apply only to this Planned Development District. All development standards not specifically addressed by this regulation text shall be regulated by those general development standards set forth in the Zoning Resolution; however, in the event of any ambiguity, the preliminary development plan, including this regulation text, all incorporated maps, plans, and exhibits, shall be interpreted in order to give effect to and resolve any ambiguities in favor of the zoning regulations contained herein. In accordance with the Zoning Resolution, minor deviations from the plans and exhibits submitted with this regulation text (the "preliminary development plan") may be approved in conjunction with review and approval of the applicable detailed development plans(s).

3.0 EXHIBITS

3.1 Preliminary Design Drawings

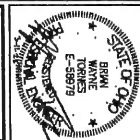
VICINITY MAP
SCALE: 1" = 2000'

Sheet List Table	
Sheet Number	Sheet Title
01	TITLE SHEET
02	VICINITY MAP
03	EXISTING SITE PLAN
04	PROPOSED SITE PLAN
05	PROPOSED UTILITY PLAN
06	PROPOSED LANDSCAPE PLAN

NO:	DESCRIPTION	DATE
	REVISIONS	

B&N
burgessniple.com

330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

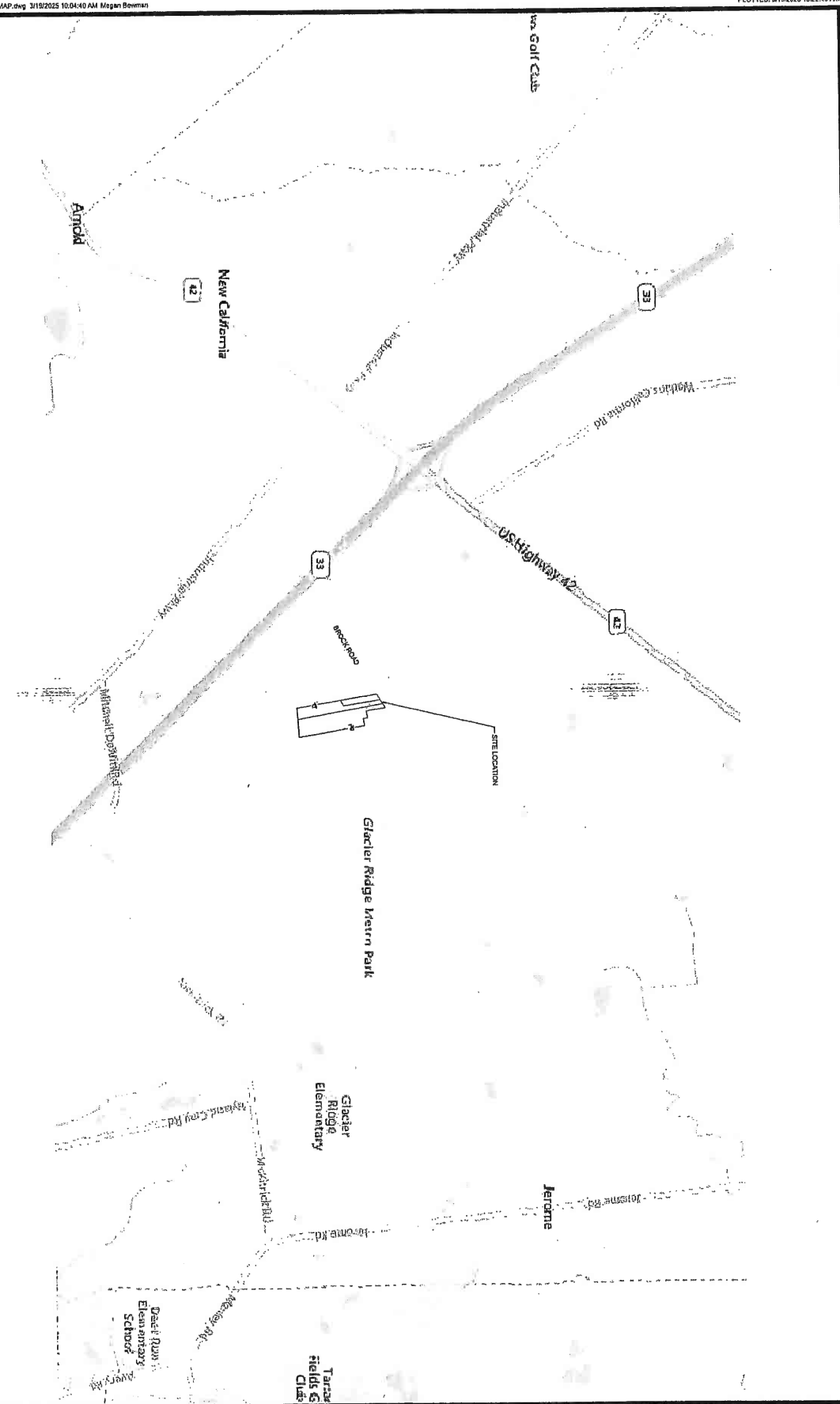


01 of 07

VICINITY MAP

SCALE: 0 100' 200'

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02 02 of 07	JOLAN PLANNED DEVELOPMENT JEROME TOWNSHIP 9317 BROCK ROAD PLAIN CITY, OHIO MARCH 2025	B&N burgesanipile.com 320 RUSH ALLEY SUITE 700 COLUMBUS, OH 43216	STATE OF OHIO DEPARTMENT OF REVENUE DIVISION OF TAXES E-558773																														
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LOG NO. PRG1302 DATE: 03/19/2025 DESIGNED BY: M.B. CHECKED BY: M.B. APPROVED BY: M.B. SCALE: NOTED	VICINITY MAP																																

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SCALE: 0 100' 200'

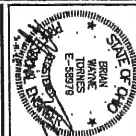


HOMESTEAD AT SCOTT'S FARM, SECTION 3, IN PLAN REVIEW PROCESS

JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

B&N
burgessniple.com

330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

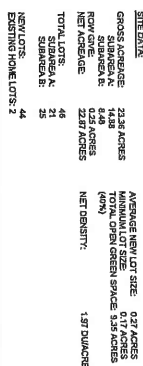


JOB NO:	PR61302
DATE:	MARCH 2022
DESIGNED BY:	MLE
DRAWN BY:	MLE
CHECKED BY:	BWT
APPROVED BY:	BWT
SCALE:	NOTED

NO:	DESCRIPTION	DATE

03

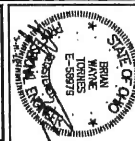
SHEET: 03 OF 07



NO:	DESCRIPTION	DATE
	REVISIONS	

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330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

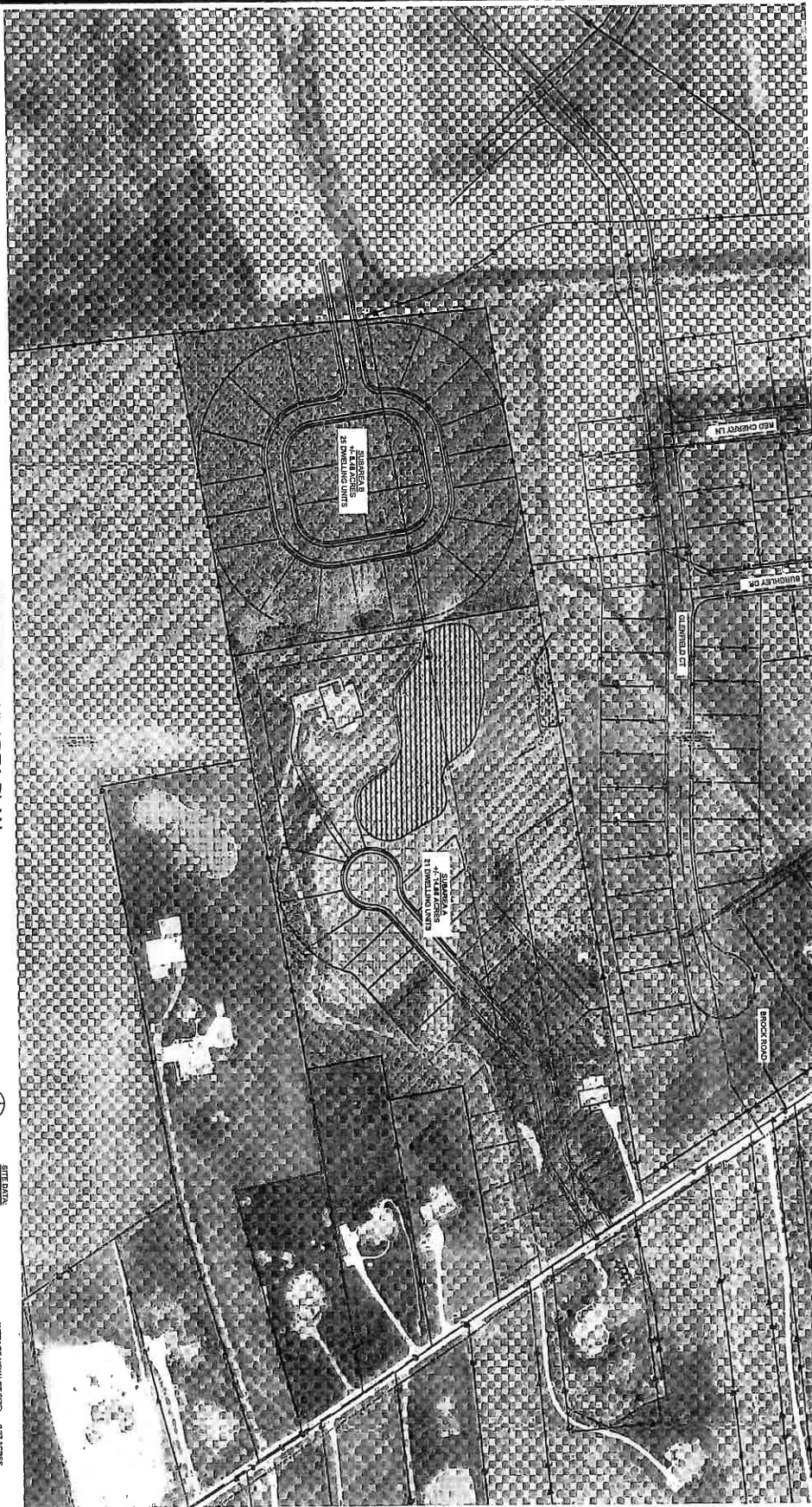


PROPOSED SUBAREA PLAN

SCALE: 0' 100' 200'



SITE DATA	
GROSS ACRES:	21.34 ACRES
SUBAREA A:	8.44 ACRES
ROW GIVE:	0.23 ACRES
NET ACRES:	22.67 ACRES
TOTAL LOTS:	46
SUBAREA A:	21
SUBAREA B:	25
NEW LOTS:	44
EXISTING HOME LOTS:	2
AVERAGE NEW LOT SIZE:	
MINIMUM LOT SIZE:	0.27 ACRES
AVERAGE LOT SIZE:	0.17 ACRES
MINIMUM OPEN SPACE:	1.33 ACRES
NET OPEN SPACE:	1.47 ACRES



05
05 of 07

DATE	3/19/2025
DESIGNED BY	MAGEN BOUMAN
CHECKED BY	MAGEN BOUMAN
APPROVED BY	MAGEN BOUMAN
SCALE	NOTED
PROJECT	PROPOSED SUBAREA PLAN

NO.	DESCRIPTION	DATE

JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

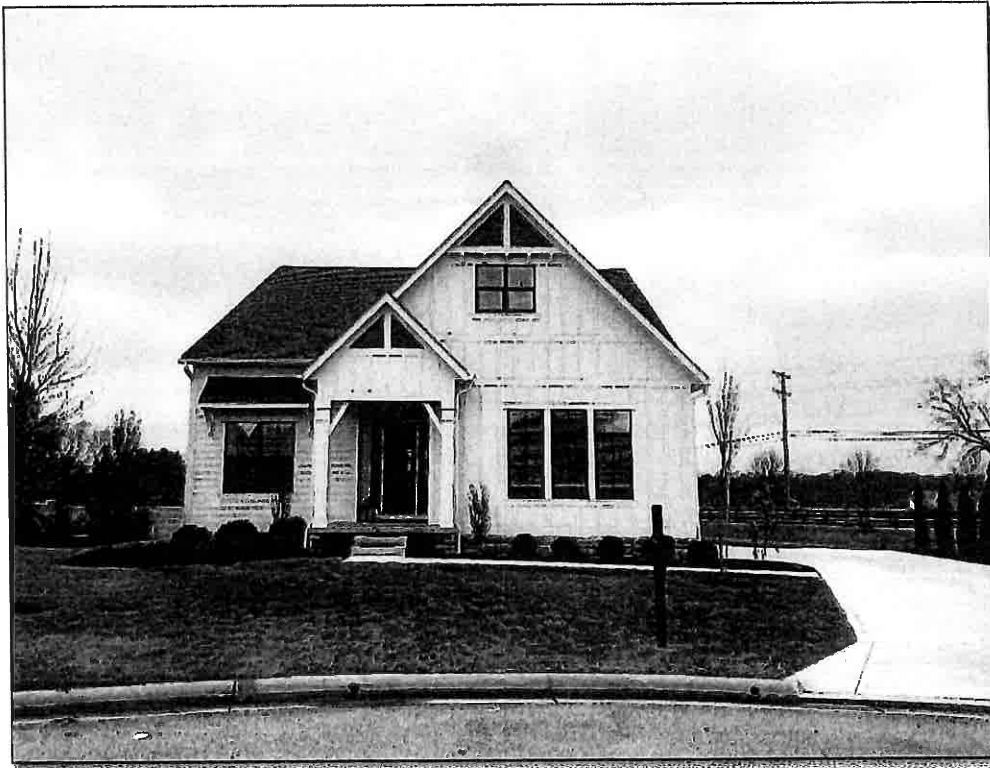
B&N
burbessniple.com

330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215





3.2 Character Imagery





3.3 Utilities Summary Letter

Burgess & Niple (B&N) has reviewed the utility availability for the proposed 23.36 +/- acre residential development south of Brock Road in Union County, Jerome Township. The utility availability is based on existing records review, available online information, and discussions with utility providers. The following is a summary of the utilities for the proposed Jolan development project.

Sanitary Sewer

- The properties fall within the City of Marysville service area, Jerome Village Authority service area, and Union County Service Area. However, only the City of Marysville has a sanitary sewer connection available to serve the development. Union County and the Jerome Village Authority have released the properties to be served by the City of Marysville (see letter in section 3.2).
- City of Marysville has verified there is adequate capacity in the WWTP to serve the property.
- The proposed development Subarea A will either connect to the existing 8" sanitary MH-39 at Homestead at Scotts Farm via a pump station, or at MH-73 if an easement cannot be granted. A second 8" sanitary connection at the Homestead at Scotts Farm MH-73 will be completed for Subarea B when the sanitary stub is available.

Water Service

- The project is located within the City of Marysville water service area. The City has verified there is adequate capacity in the WTP to serve the development.
- The proposed development Subarea A will connect to the existing watermain on Brock Road. A second watermain connection to the south at Homestead at Scotts Farm development will be completed for Subarea B when the waterline is available.

Storm Sewer Management

- The proposed development has one main drainage outlet for the property that include a drainage ditch. The drainage outlet will serve as an adequate outlet for the project.
- The project drainage basin is a part of Sugar Run which is part of the Big Darby Watershed and flows from north to south.

- The proposed development will include stormwater retention to provide the required OEPA and Union County stormwater regulations. The potential stormwater retention areas are shown on the preliminary development plan and will discharge to the existing drainage ditch on the property.

Road

- A draft Traffic Impact Study for the project has been completed and has been sent to the Union County Engineer for review and approval. The study can be found in Appendix C.

Electric

- Electric service will be provided by Union Rural Electric (URE). Existing electric facilities are located along the adjacent roads and is within URE service area.

Natural Gas

- Natural gas will be provided by either the existing Columbia Gas of Ohio (Nisource) pipeline on Brock Road, or Madison Energy (Utility Pipeline, Ltd) who is bringing a pipeline to the area in 2025.

Phone

- Frontier is one of the phone utility providers in the area that could provide service to the project.

Cable TV, Internet

- Spectrum is one of the cable TV and internet providers in the area that could provide service to the project.

3.4 Utility Serviceability Letters

February 28, 2025

Burgess & Niple, Inc.
Attn: Megan Bowman
330 Rush Alley
Columbus, Ohio 43215

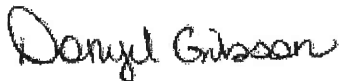
Re: 9317 Brock Rd, Jerome Twp, Plain City
Opportunity Id 383304

Dear Ms. Bowmna;

Thank you for your interest in choosing Columbia Gas of Ohio, Inc. (Columbia Gas) to serve your energy needs. Columbia Gas has facilities in the general area of 9317 Brock Rd, Plain City, Ohio. Although Columbia Gas facilities are in the vicinity of your proposed location, further investigation and analysis will need to take place to determine the feasibility of providing natural gas service to such location. Only after the gas loads, meter locations, construction schedule and final site plans are provided to Columbia Gas, we will be able to prepare cost estimates and determine gas availability and capacity. Please note that in making the determination to extend natural gas service, Columbia Gas conducts a cost benefit analysis and if we determine that the project is not economically feasible for us, a deposit and/or a contribution towards construction costs will be required to be paid by you.

Please contact me if there is interest in pursuing this project further. I appreciate that you turned to Columbia Gas of Ohio as a potential provider of natural gas and thank you for your cooperation during the preliminary review process.

Sincerely,



Donyel Gibson
Lead Project Manager New Business
C: 614-623-2644



15461 US Route 36 • PO Box 393 • Marysville, OH 43040-0393
(937) 642-1826 • (800) 642-1826 • Fax (937) 644-4239
www.ure.com

Your Touchstone Energy® Cooperative 

1/20/2025

Megan Bowman
Burgess & Niple, Inc.
330 Rush Alley
Columbus, Ohio 43215

Dear Megan,

Union Rural Electric Cooperative, Inc. (URE) understands that you are proposing a new residential development in Jerome Township, Union County at address 9317 Brock Road, Plain City, Ohio 43064. According to your email this would consist of approximately 45 lots that are in URE certified electric territory.

URE has the availability and capacity to serve electric to all lots in our certified service territory. It would be our intention to serve all the lots which fall into our territory upon a formal request from the developer and a signed URE Developers Agreement.

Please let me know if you require any additional information.

Best Regards,

Beau Michael

Beau Michael
Director, Development and Energy Services
Union Rural Electric Cooperative

JEROME VILLAGE COMMUNITY AUTHORITY

February 4, 2025

Mr. Terry Emery
City Manager
City of Marysville, Ohio
209 South Main Street
Marysville, OH 43040

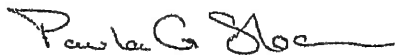
Re: Request for City of Marysville to Provide Utility Service to Union County Parcel ID Nos.
1700110330000, 1700110345000 and 1700110344000

Dear Mr. Emery,

Tara and Edward Kunzelman II, the owner of the above-referenced parcel, has requested the Jerome Village Community Authority (JVCA) to waive its right to provide sanitary sewer service to this parcel. Due to the location of this site and the proximity of the existing JVCA sewer lines, JVCA is supportive of this request provided that the site is developed for single-family housing within two (2) years from the date of this letter. Therefore, in accordance with the terms of the Third Amendment to the Utility Service Agreement, dated February 1, 2023, JVCA requests the City to provide sanitary sewer service to this site.

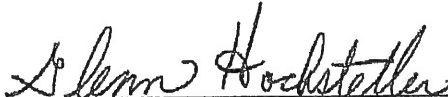
If this request is agreeable to the City please indicate that consent below at your earliest convenience but in any event within 60-days of the date of this letter.

Sincerely,



Paula Sloan, Chair

Jerome Village Community Authority



Glenn Hochstetler, Vice Chair

Jerome Village Community Authority

cc: Tim Aslaner, City Law Director, City of Marysville, Ohio, 125 East Sixth Street
Marysville, OH 43030

APPROVAL BY CITY

City of Marysville, Ohio agrees to provide sanitary sewer service to Union County Parcel ID Nos. 1700110330000, 1700110345000 and 1700110344000 provided that the site is developed for single-family housing within two (2) years from the date of this letter.

Terry Emery, City Manager
City of Marysville, Ohio

_____, 2025



4100 Holiday Street, N.W., Suite 201 – Canton, Ohio 44718-2589 – 330-498-9130 – 888-863-0032 Fax 330-498-9137

January 22, 2025

Megan Bowman
Burgess & Niple, Inc.
330 Rush Alley
Columbus, OH 43215

RE: Brock Rd Development, Plain City, OH

This letter is to confirm that Madison Energy Cooperative, (MECA) a Utility Pipeline, Ltd. managed system, will have sufficient pressure and capacity to provide natural gas service to the Brock Rd Development at 9317 Brock Rd, Plain City, OH 43064, contingent upon completion of proposed connector pipeline in 2025 as discussed.

If any further information is needed regarding the natural gas service for this development, please contact me at 330-705-3925, or at jduckworth@utilitypipelineltd.com.

Madison Energy Cooperative looks forward to collaborating with you on this and future development projects.

Sincerely,

Joey Duckworth
Business Development/Project Manager
Utility Pipeline, Ltd.
330-705-3925
330-498-9130 ext. 772
jduckworth@utilitypipelineltd.com





Engineering Department
City Hall, 209 South Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
www.marysvilleohio.org

February 20, 2025

Megan Bowman, EI
Environmental Engineer
Burgess & Niple, Inc.
330 Rush Alley
Columbus, OH 43215

**Subject: Kunzelman Properties – City of Marysville Utilities
Parcels 1700110330000, 1700110345000, & 1700110344000**

Ms. Bowman,

Based on the proposed development (45+/- single family lots) on the Kunzelman Properties (Union County Parcels 1700110330000, 1700110345000, & 1700110344000), there are downstream gravity sanitary sewers adjacent to this project to serve this development. To ensure adequate looping and redundancy, public water is located along the north side of Brock Road (16-inch water line) and along Radford Lane (8-inch water line) in the Homestead at Scotts Farms subdivision.

There is a proposed 8-inch sanitary stub at the southern property line at the Radford Lane street stub. This stub was designed to accept 40.95 offsite acres. The Kunzelman Properties are tributary to this stub. An analysis of the downstream sanitary system will be required to ensure that there is sufficient capacity based on the proposed development.

Our water and wastewater treatment facilities also have adequate capacity to provide utility service to this development.

The Kunzelman properties are currently outside Marysville's sanitary service area. The northern portion of the proposed development is within the Jerome Village Authority's service area, while the southern portion is within the Union County service area. The City has secured an agreement with the Jerome Village Community Authority to serve the northern portion. Furthermore, Marysville and Union County are working on an amendment to their Asset Purchase Agreement to expand Marysville's service area to include the Kunzelman properties. Therefore, Marysville can conditionally provide this will serve letter stating the development can connect to the City of Marysville's sanitary sewers pending ratification of the amended Asset Purchase Agreement by both the City and the County and that the capacity analysis shows the downstream sewers have sufficient capacity to serve the development. Connection to the City's sanitary sewer cannot be made without Union County approval.

Any required utility extensions or upgrades will be the sole responsibility of the Developer. Also, all utility design standards and fees (including monthly user fees, one-time capacity fees, and any surcharge fees) for the City's Utility System can be found on our website (www.marysvilleohio.org).

Please contact us if you need additional clarification or wish to discuss this letter in further detail.

Sincerely,

Chad Green, P.E.
Assistant City Engineer

4.0 APPENDIX

A. Sample Deed Restrictions

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Exhibits

Exhibit A.....Subject Property

Exhibit BAdditional Easement Areas

**DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS AND
ASSESSMENTS AND ASSESSMENT LIENS FOR JEROME DEL WEBB**

This Declaration of Covenants, Easements, Restrictions and Assessments and Assessment Liens (the “**Declaration**”) is made on or as of this _____ day of _____, 2021, by DEVELOPER, INC., an Ohio corporation, whose address is 475 Metro Place S., Dublin, Ohio 43017 (“**Developer**”).

Background

1. Developer is the owner in fee simple of the real estate identified and described on Exhibit A, attached hereto and made a part hereof by this reference (the “**Subject Property**”).
2. The Subject Property is being developed and built as a residential subdivision of lots for single-family homes known as the JEROME DEL WEBB (the “**Community**”) and may include public or private streets, associated improvements, landscaped areas, entranceway and community border features, reserves, open or green spaces, and storm water drainage facilities.
3. Developer desires hereby to restrict the use and occupancy of the Subject Property and provide for the preservation of the values of and amenities in the Community for the benefit of the present and future Owners of the Lots and the Improvements constructed on them.
4. Developer hereby declares that all of the Subject Property shall be encumbered with the following covenants, easements, restrictions and conditions which shall run with the land and be binding on all parties having any right, title or interest in the Subject Property, or any part thereof, their heirs, successors and assigns, including the future Owners of any Lot, the Developer, the Developer’s successors and assigns, and any utility companies, whether public or private, who are granted rights herein.
5. Further, Developer deems it desirable for the accomplishment of these objectives to create an association to which is delegated and assigned the non-exclusive right and obligation to administer and enforce the provisions hereof, to own certain property, to have easement rights with respect to certain property, to administer such property, and to collect and disburse funds necessary to accomplish these objectives. Accordingly, Developer shall cause to be incorporated a homeowners’ association under and pursuant to the laws of Ohio, whose Members are and will be all of the Owners of a Lot or Lots in the Community.

**COVENANTS, EASEMENTS, RESTRICTIONS,
ASSESSMENTS AND ASSESSMENT LIENS**

NOW THEREFORE, in pursuance of a general plan for the protection, benefit, and mutual advantages of the property in the Community, Developer hereby declares that all of the Subject Property shall be held, developed, improved, encumbered, sold, conveyed and occupied subject to the following covenants, easements, and restrictions:

1. DEFINITIONS.

The following terms used in this Declaration shall have these meanings, unless the context requires otherwise:

- (a) **"Additional Easement Areas"** -- those areas, whether or not shown on the plat of the Community, which Developer has determined shall be subject to further easements for the benefit of the Community.
- (b) **"Additional Property"** -- property that may in the future be subjected to the plan for the Community provided hereby, and consists of such property as Developer, in its sole discretion, may from time to time determine and designate as Additional Property.
- (c) **"Architectural Review Committee"** -- the group of individuals having the power and authority to establish and enforce architectural standards governing the construction of Improvements in the Community.
- (d) **"Articles" and "Articles of Incorporation"** -- the articles, when filed with the Secretary of State of Ohio, incorporating JEROME DEL WEBB Homeowners' Association, Inc. (the **"Association"**) as a non-profit corporation under the provisions of Chapter 1702 of the Revised Code of Ohio (**"Chapter 1702"**).
- (e) **"Assessments"** - charges levied by the Association on Lots and their Owners, consisting of Operating Assessments, Special Assessments, and Individual Lot Assessments.
- (f) **"Association"** -- an association of all of the Owners of Lots in the Community, at any time, except Owners of Exempt Property with respect to that property. The Association is being incorporated as an Ohio non-profit corporation named "JEROME DEL WEBB Homeowners' Association, Inc."
- (g) **"Board"** -- the Board of Directors of the Association.
- (h) **"Code of Regulations" and "Code"** -- the Code of Regulations of the Association (sometimes referred to as "bylaws") created under and pursuant to the provisions of Chapter 1702, providing certain operating rules and procedures for the Association.
- (i) **"Common Elements"** -- all real and personal property now or hereafter acquired by the Association, or benefited by easement to it, pursuant to the provisions hereof, or otherwise, for the common use and the enjoyment of the Owners, or for the operation of the Association. The Common Elements may include open spaces, Reserves, entranceway and community border features, detention areas, and other property designated by Developer or the Board (as the Board will be constituted following the Turnover Date) to be Common Elements, and benefiting the Owners of the Lots in the Community.
- (j) **"Common Expense"** - costs and expenses incurred by the Association in fulfilling its functions pursuant to the provisions of the Governing Documents.

- (k) **"Community"** or **"JEROME DEL WEBB"** -- all property that at any time has been subjected to the provisions of this Declaration, and initially includes all of the property described in Exhibit A, and which may be expanded to encompass all or any part of the Additional Property.
- (l) **"Developer"** -- DEVELOPER, Inc. and any successor or assign to which it specifically assigns any of its rights and which assumes its obligations hereunder by a written instrument.
- (m) **"Exempt Property"** -- means the portion of the real property comprising the Community (a) now or hereafter dedicated to common public use or owned by the United States, the State of Ohio, the County, the City, any school board, or similar governmental body, or any instrumentality or agency or any such entity, for so long as any such entity or any such instrumentality or agency shall be the owner thereof, or (b) owned by the Association; provided in either such case, the same is not utilized as a residence.
- (n) **"Governing Documents"** -- the Association's Articles of Incorporation, Code of Regulations, its Rules, and all amendments thereto, this Declaration, and all amendments thereto, and applicable building and zoning laws and ordinances.
- (o) **"Improvements"** -- all buildings, outbuildings, garages and structures; overhead, aboveground and underground installations, including without limitation, utility facilities and systems, lines, pipes, wires, towers, cables, conduits, poles, antennae and satellite dishes; flagpoles; swimming pools; swing-sets, playground equipment, playhouses and forts; tennis and all other types of permanently installed recreational courts, fixtures and facilities; slope and drainage features, structures and conditions; roads, driveways, uncovered parking areas and other paved areas; fences, trellises, walls, retaining walls, exterior stairs, decks, patios and porches; planted trees, hedges, shrubs and other forms of landscaping; and all other improvements and/or structures of every type.
- (p) **"Individual Lot Assessment"** -- an assessment that the Board may levy upon a Lot and its Owners to reimburse the Association for costs incurred solely on behalf of that Lot, or the Owners thereof, including without limitation, costs associated with making repairs that are the responsibility of the Owner of that Lot; costs of additional insurance premiums reasonably allocable to an Owner because of use of Improvements on that Lot; costs of any utility expenses chargeable to an Owner but not separately billed by the utility company; administrative charges for violations of the Governing Documents, late charges, and interest on delinquent assessments, and costs of collection of delinquent obligations to the Association, including attorneys fees and court costs, and all other charges reasonably determined to be chargeable solely to a Lot and its Owners.
- (q) **"Lot"** -- a separate parcel of real property now or hereafter identified upon a recorded subdivision plat of property in the Community, or any portion thereof, or recorded re-subdivision thereof, and any other separate parcel of real property designated as a Lot by Developer, and subjected to the provisions of this Declaration, excluding the Common Elements and any portion of the Community dedicated for public use.

- (r) **"Manager"** -- the person or entity retained by the Board to assist in the management of the Association.
- (s) **"Member"** -- any person or entity meeting the requirement for membership in the Association.
- (t) **"Occupant"** -- a person lawfully residing in a dwelling on a Lot, regardless of whether that person is an Owner.
- (u) **"Operating Assessments"** -- an assessment that the Board may levy upon all Lots, other than Exempt Property, and their Owners, pursuant to the terms of this Declaration, to provide funds to pay Common Expenses, that is, funds needed to meet cash requirements of the Association for its operations and reasonable reserves.
- (v) **"Owner"** and **"Lot Owner"** -- the record Owner, whether one or more Persons, of fee simple title to a Lot, excluding vendors under recorded land installment contracts, but including the vendees, and excluding the Developer and all others having an interest merely as security for performance of an obligation.
- (w) **"Person"** -- a natural individual, trustee, corporation, partnership, limited liability company, or other legal entity capable of holding title to real property.
- (x) **"Reserves"** -- one or more of the Reserves or open spaces in the Community, as delineated and shown on a recorded plat and subjected to the provisions hereof.
- (y) **"Rules"** -- the rules and regulations governing use of property in the Community as may be established by the Board from time to time.
- (z) **"Special Assessment"** -- an assessment that the Board may levy upon all Lots, except Exempt Property, to pay for unanticipated operating deficiencies, or to pay for capital expenditures not regularly budgeted and not to be paid out of monetary reserves, such as costs for major capital improvement replacements and for major new capital improvements, or any other similar purpose determined appropriate by the Board.
- (aa) **"Turnover Date"** -- the date on which Developer relinquishes its exclusive right to appoint all members of the Board, which date shall be no later than the date when the Community has been fully developed, and all Lots have been deeded to bona fide purchasers, provided Developer reserves the right, in its sole and unfettered discretion, to turn over control of the Association, or selected functions thereof, at such earlier time as it determines in its sole discretion.

2. GOALS.

The covenants, easements, conditions and restrictions contained in this Declaration are declared to be in furtherance of the following purposes:

- (a) Promotion of the health, safety and welfare of all Owners and Occupants of property in the Community;
- (b) Ownership, administration, preservation, beautification and maintenance of the Community's Common Elements and all Improvements thereon;
- (c) Enforcement of architectural controls and restrictions applicable to the Community;
- (d) Compliance with all zoning and similar governmental regulations applicable to the Community; and
- (e) Provide for mandatory membership of Lot Owners in the Community, as it may be constituted, from time to time, in the Association, and the assessment and collection of funds to fulfill its objectives.

3. THE ASSOCIATION.

3.1. Purposes.

The Association shall apply all funds received by it pursuant hereto, and all other funds and property received by it from any source, to the fulfillment of the purposes of the Association as hereinbefore provided. The purposes of the Association are to:

- (a) To own, repair, maintain, regulate the use of, and to have easements with respect to various facilities and amenities in the Community that benefit all of the Community and its Owners and Occupants, including, without limiting the generality of the foregoing, the Common Elements and such other Improvements and amenities as designated to be Common Elements by Developer, and after the Turnover Date, by the Board;
- (b) administer and enforce the provisions of the Governing Documents; and
- (c) assess, collect and disburse funds necessary to fulfill these purposes.

3.2. Mandatory Membership.

Every Lot Owner shall be a Member of the Association. In the case of a Lot that is the subject of a recorded land installment contract, the vendee or vendees under that installment contract and not the vendor shall, while holding such interest, be a Member of the Association. There shall only be one membership per Lot. In the event the fee simple interest in a Lot, or ownership of the vendee interest in a Lot, is held by more than one Person, the co-interest holders of such interests while holding such interests shall have only one membership in the Association as tenants-in-common, with respect to that Lot. Such membership is appurtenant to and inseparable from such interests. Status as a Member shall automatically transfer to the transferee of that interest at the time the fee simple interest is transferred of record. Initially those Lots to which these membership provisions apply shall be those Lots that are subjected hereby to the provision of this Declaration, but as portions of the Additional Property or additional portions of the Community are subdivided and platted into Lots, and the Lots therein

subjected by amendments hereto to the plan hereof, membership in the Association shall extend to and encompass the holders of fee simple interests in those Lots, and holders of vendee interests under recorded land installment contracts with respect to those Lots, on the same basis as set forth herein for membership. The foregoing is not intended to include Persons who hold an interest merely as security for the performance of an obligation and the giving of a security interest or mortgage shall not terminate the membership of any Owner, provided further, there shall not be a membership appurtenant to a Lot dedicated to common public use or owned by any governmental body, instrumentality or agency for so long as such body, instrumentality or agency owns that Lot and so long as it is not utilized as a residence, nor for a Lot, if any, that becomes a Common Element, for so long as it remains a Common Element. Voting and all other matters regarding the governance and operation of the Association shall be as set forth in the Governing Documents.

3.3. Powers; Authority; Duties.

The Association shall have all the rights, powers, and duties established, invested, or imposed in it pursuant to the Governing Documents, and the laws of the State of Ohio applicable with respect to Ohio non-profit corporations. Among other things, the Association, through its Board, shall have the power to acquire, own and convey real estate, hold easements with respect to, and maintain the Common Elements, enforce and administer the Declaration, Rules, restrictions and covenants applicable to the Community, sue and be sued, levy and collect assessments, collect and maintain reserves for replacements or anticipated expenditures, enter into contracts, mortgage and pledge all revenue received and to be received and/or to assign and pledge all revenues received or to be received by it under any provisions of these covenants, including, but not limited to, the proceeds of the assessments payable hereunder, and take such other actions as it deems appropriate to its purposes. The Association shall not be obligated to spend in any particular time period all the sums collected or received by it in such time period or in any other time period and may carry forward, as surplus, any balances remaining; nor shall the Association be obligated to apply any such surpluses to the reduction of the amount of the assessment in any year, but may carry forward from year to year and time to time such surplus as the Board in its absolute discretion may determine to be desirable for the greater financial security of the Association and the effectuation of its purposes.

3.4. Other Agreements.

The Association shall have the power and authority to contract with any person, corporation, firm or other entity, for the exercise of any one or more of the various powers and authority granted to and duties to be performed by the Association hereunder, and to delegate such powers and authority to any agent or employee of the Association, and the exercise of those powers and authority by such person, corporation, firm, entity, agent or employee shall be deemed the exercise of those powers and authority by the Association, except that no independent contractor shall be deemed by virtue of these provisions to be the agent of the Association. There shall be no requirement of any bond or surety for the Association, its agents, employees, or others assuring the exercise of the powers and authority granted hereunder, except as the Board shall in its sole discretion deem necessary or desirable for the safeguarding of any funds received by the Association. The Association may enter into agreements with other community, subdivision and condominium associations and/or master associations pursuant to

which the Association agrees (i) to share in the cost of maintaining, repairing and replacing landscaping, storm water retention facilities, mounding, fencing and any other improvements or services that benefit the Community or the Members; and (ii) grant reciprocal rights, licenses and/or easements to members of each such associations to use and enjoy each other's common elements, subject to such rules and regulations, restrictions and fees as the Association may determine from time to time.

3.5. Rules and Regulations.

The Association may make and enforce reasonable Rules governing the use, operation and/or maintenance of the property which is a part of the Community, which shall be consistent with the other provisions of the Governing Documents. The Association shall have the power to impose sanctions on Members and Owners for any infraction of the Governing Documents, including the provisions hereof and the Rules, which such sanctions may include without limitation: (i) reasonable monetary administrative charges which shall be considered Individual Lot Assessments; (ii) suspension of the right to vote as a Member of the Association; and (iii) suspension of the right of the Owner and that Owner's Occupants, licensees, and invitees, to use the Common Elements or any part thereof. In addition, the Board shall have the power to seek relief, including injunctive relief, in any court for violations or to abate violations of the provisions of the Governing Documents. If the Board expends funds for attorneys' fees or litigation expenses in connection with the enforcement of any provision of the Governing Documents, the amount so expended shall be due and payable by the Owner of the Lot whose Owner, Occupant, licensee or invitee violated the provisions of the Governing Documents, and the same shall be an Individual Lot Assessment against such Owner's Lot.

3.6. Implied Rights.

The Association may exercise any other right or privilege given to it expressly by the laws of the State of Ohio or any provision of the Governing Documents, and every other right or privilege reasonably implied from the existence of any right or privilege granted thereby, or reasonably necessary to effect any such right or privilege.

3.7. Managing Agent.

The Board may retain and employ on behalf of the Association a Manager, which may be Developer, and may delegate to the Manager such duties as the Board might otherwise be authorized or obligated to perform. The compensation of the Manager shall be a Common Expense. The term of any management agreement shall not exceed one year and shall allow for termination by either party, without cause and without penalty, upon no more than ninety (90) days prior written notice.

3.8. Insurance.

- (a) Fire and Extended (Special Form) Coverage. The Association shall, with respect to insurable property or interests owned by it, obtain and maintain insurance for all buildings, structures, fixtures and equipment and common personal property, now or at any time hereafter constituting a part of the Common Elements, against loss or damage

by fire, lightning, and such other perils as are ordinarily insured against by standard coverage endorsements, with such limits, deductibles, and coverage as is deemed appropriate by the Board. This insurance:

- (i) shall provide that no assessment may be made against a first mortgage lender, or its insurer or guarantor, and that any assessment under such policy made against others may not become a lien on any Lot, or other property, and its appurtenant interest, superior to the lien of a first mortgage;
 - (ii) shall be obtained from an insurance company authorized to write such insurance in the State of Ohio which has a current rating of Class A-/VIII, or better, as determined by the then latest edition of Best's Insurance Reports or its successor guide;
 - (iii) shall be written in the name of the Association;
 - (iv) shall not be cancelled upon less than thirty (30) days notice to the Association; and
 - (v) unless otherwise determined by the Board, shall contain a waiver of subrogation of rights by the carrier as to the Association, its officers and directors, and all Owners.
- (b) Liability Coverage. The Association shall obtain and maintain a Commercial General Liability policy of insurance covering all of the Common Elements and the functions of the Association insuring the Association, the directors, and its Members, with such limits as the Board may determine, but no less than the greater of (a) the amounts generally required by private institutional mortgage investors for projects similar in construction, location and use, and (b) \$1,000,000, for bodily injury, including deaths of persons, and property damage, arising out of a single occurrence. This insurance shall contain a "severability of interest" endorsement which shall preclude the insurer from denying the claim of any Member because of negligent acts of the Association, the Board, or other Members, and shall include, without limitation, coverage for legal liability of the insureds for property damage, bodily injuries and deaths of persons in connection with the operation, maintenance or use of the Common Elements, and other legal liability, including liability under contractual indemnity clauses and liability arising out of lawsuits related to any employment contracts of the Association. Each such policy must provide that it may not be canceled or substantially modified by any party, without at least thirty (30) days prior written notice to the Association.
- (c) Other. The Association may, in the Board's discretion, obtain and maintain the following insurance: (a) fidelity bond coverage for all officers, directors, Board members and employees of the Association and all other persons handling or responsible for handling funds of the Association, (b) officers' and directors' liability insurance, (c) workers' compensation insurance, (d) additional insurance against such other hazards and casualties as is required by law, and (e) any other insurance the Board deems necessary.

- (d) Use of Proceeds. In the event of damage or destruction of any portion of the Common Elements, the Association shall promptly repair or replace the same, to the extent that insurance proceeds are available. Each Member hereby appoints the Association as its attorney-in-fact for such purpose. If such proceeds are insufficient to cover the cost of the repair or replacement, then the Board may levy a Special Assessment pursuant to the provisions hereof to cover the additional costs.

3.9. Condemnation.

The Association shall represent the Members in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authority for acquisition of the Common Elements, or any portion thereof. Each Member hereby irrevocably appoints the Association as its attorney-in-fact for such purpose. The awards or proceeds of any condemnation action shall be payable to the Association, to be held and used for the benefit of the Members, as determined by the Board.

3.10. Books; Records.

Upon reasonable request of any Member, the Association shall be required to make reasonably available for inspection by any Member all books, records and financial statements of the Association, except for those items deemed privileged, protected, or confidential in accordance with applicable law, rules or regulations. The Association may charge a reasonable fee to cover the administrative costs of handling, copying, delivering, etc., the requested documents.

4. THE COMMON ELEMENTS.

Developer may, from time to time, at Developer's option, convey to the Association, for the use and benefit of the Association and the Owners and Occupants, real or personal property, or any interest therein, as part of the Common Elements, provided that property is free and clear of all encumbrances except real estate taxes and assessments, if any, not presently due and payable, zoning and building laws, ordinances and regulations, legal highways and restrictions, conditions, easements of record, including, to the extent Developer so determines, those contained herein, and all other liens and encumbrances of record or otherwise affecting the property. All such Common Elements shall consist solely of property (i) benefiting two or more Lots, Owners, and/or Occupants in the Community, as the same may from time to time be constituted; or (ii) as required by zoning. In addition, the Developer may also grant such easements to the Association as the Developer, in its sole discretion, determines to be of benefit to the Community, as the Community may be constituted from time to time. The Association may also acquire, hold, manage, operate, maintain, improve, mortgage and dispose of tangible and intangible personal property and real property in addition to that property conveyed to it by Developer.

5. ASSESSMENTS.

5.1. Types of Assessments.

Subject to the provisions of this Article, each Lot Owner, shall be subject to the following Assessments, which by acceptance of a deed to a Lot (whether or not it shall be so expressed in such deed) covenants and agrees to pay to: (a) Operating Assessments, (b) Special Assessments, and (c) Individual Lot Assessments, all of which are to be established and collected as hereinafter provided. No Owner may gain exemption from liability for any Assessment by waiving or foregoing the use or enjoyment of any of the Common Elements or by abandoning that Owner's Lot.

5.2. Operating Assessments.

For the purposes of providing funds to pay:

- the cost of the maintenance, repair, replacement, and other services to be provided by the Association;
- the costs for insurance and bond premiums to be provided and paid for by the Association;
- the cost for utility services, if any, charged to or otherwise properly payable by the Association;
- the costs for construction of new capital improvements on Common Elements not replacing capital improvements installed by Developer;
- the estimated amount required to be collected to maintain a general operating reserve to assure availability of funds for normal operations of the Association, in an amount deemed adequate by the Board;
- an amount deemed adequate by the Board to maintain a reserve for the cost of unexpected repairs and replacements of capital improvements and for the repair and replacement of major improvements for which cash reserves over a period of time in excess of one year ought to be maintained; and
- the costs for the operation, management and administration of the Association, including, but not limited to, fees for property management, landscaping, mowing, planting, lighting, pavement maintenance, snow and ice removal and mitigation, fees for legal and accounting services, costs of mailing, postage, supplies and materials for operating the Association, and the salaries, wages, payroll charges and other costs to perform these services, and any other costs of operations of the Association not otherwise specifically excluded;

the Board shall establish, levy and collect Operating Assessments against each Lot and its Owners subject to the same, an equal pro rata share of such costs, in accordance with the following:

- (a) Initial Period. Commencing the first day of the first full month after a Lot with a dwelling constructed thereon has been conveyed by Developer to a home purchaser, each Lot Owner shall be subject to and pay to the Association an Operating Assessment for the remainder of the calendar year, as determined by the Board, prorated in the proportion that the number of full calendar months remaining in the calendar year from the date of the closing of the conveyance of the Lot is to twelve (12). This amount may have been prepaid by the Developer and if so, a credit back to the Developer will be collected at the closing on the Lot.
- (b) Subsequent Calendar Year. Prior to January 1 (or a reasonable time thereafter) of each calendar year thereafter, the Board shall establish a budget for anticipated operating expenses for the next following Operating Assessment period commencing January 1 and ending the following December 31, and apportion the amount so determined in equal shares among all Lots in the Community that have had a dwelling constructed thereon and that have been conveyed to a bona fide home purchaser, and assess each such Lot and its Owner or Owners for the apportioned amount.
- (c) Due Dates. The Operating Assessments shall be due in ~~monthly~~, quarterly, semi-annual, or annual installments, as the Board may determine. Except for the initial payment of Operating Assessments, notice of Operating Assessments, or if payable in installments, the dates those installments are due, shall be given to a Lot Owner not less than thirty (30) days prior to the date the Operating Assessment, or first installment thereof, is due.

5.3. Special Assessments.

The Board may levy against all Lots subject to Operating Assessments, and their Owners, Special Assessments to pay for capital expenditures, interest expense on indebtedness incurred for the purpose of making capital expenditures and not to be paid out of reserves, unanticipated operating deficiencies or any other purpose determined appropriate by the Board in furtherance of its functions hereunder. Those Special Assessments shall be allocated among Lots on the same basis as Operating Assessments are to be allocated, and shall be due and payable on such basis and at such times as the Board directs, provided that no such Special Assessment shall be due and payable on fewer than thirty (30) days written notice.

5.4. Individual Lot Assessments.

The Board may levy an Individual Lot Assessment against any Lot Owner to reimburse the Association for costs incurred on behalf of that Lot, or as a consequence of any act or omission by any Owner, Occupant, or invitee thereof, including without limitation, costs associated with making repairs that are the responsibility of the Owner; costs of additional insurance premiums specifically allocable to an Owner; costs of any utility expenses chargeable to an Owner but not separately billed by the utility company; and all other administrative and enforcement charges, including attorneys' fees, incurred by the Association reasonably

e) as more fully provided in the Declaration, establish, levy, enforce and collect Assessments at least annually;

f) issue, or to cause an appropriate representative to issue, upon demand by any person, a certificate setting forth whether or not any Assessment has been paid;

g) procure and maintain insurance and bonds as provided in the Declaration, and as the Board of Directors deems advisable;

h) cause the property subject to the Association's jurisdiction to be maintained within the scope of authority provided in the Declaration; and

i) take all other actions required to comply with all requirements of the Declaration, Articles of Incorporation and this Code of Regulations.

ARTICLE V

OFFICERS AND COMMITTEES

Section 5.01. The officers of the Association shall be a President, a Vice-President, a Secretary, a Treasurer and such other officers as may be determined by the Board of Directors. All officers shall be elected by the Board of Directors from among the members of the Board of Directors. Officers shall hold office at the pleasure of the Board of Directors and any two or more offices may be held by the same person. No officer shall receive any compensation for their services rendered to the Association as a Director; provided that an officer may be reimbursed for actual expenses incurred in the performance of duties as an officer, if approved by the Board of Directors, and any officer may serve the Association in any other capacity and may receive compensation therefore, subject to the requirements and limitations of this Code of Regulations and the Articles of Incorporation.

Section 5.02. It shall be the duty of the President to preside at all meetings of Members of the Association and the Board of Directors, to exercise general supervision over the affairs of the Association and in general to perform all duties incident to the office or which may be required by the members of the Board of Directors.

Section 5.03. It shall be the duty of the Vice-President to perform the duties of the President in the event of the President's absence or disability and to perform such other duties as may be assigned to him or her by the Board.

Section 5.04. It shall be the duty of the Secretary to keep or cause to be kept under his or her supervision an accurate record of the acts and proceedings of the Members and the Board of

Directors, including records of the names and addresses of the Members. The Secretary shall further perform all duties incident to the office and such other duties as may be required by the Members or the Board of Directors. Upon expiration or termination of his or her term of office, the Secretary shall deliver all books, records, documents and other property of the Association in his or her possession or control to his or her successor or to the President.

Section 5.05. The Treasurer shall receive and safely keep all money, securities and other intangible property belonging to the Association, or evidence thereof, and shall disburse the same under the direction of the Board of Directors; shall keep or cause to be kept under his or her supervision correct and books and records of account specifying the receipts and expenditures of the Association, together with records showing the allocation, distribution and collection of assessments, fees, revenues and expenses among and from the Members, shall hold the same open for inspection and examination by the Board of Directors and the Members, and shall present abstracts of the same at annual meetings of the Members or at any other meeting when requested; shall give bond in such sum with such surety or sureties as the Board of Directors may require for the faithful performance of his or her duties; shall perform any other duties which may be required of him or her by the members of the Board of Directors; and, upon the expiration or termination of his or her term of office, shall deliver all money and other property of the Association in his or her possession or control to his or her successor or to the President.

Section 5.06. The Board of Directors may create a committee or committees of directors. Each committee shall be composed of not less than one (1) Director, shall serve at the pleasure of the Board of Directors and shall be subject to the control and direction of the Board of Directors. Any committee may act pursuant to the vote of a majority of its members at a meeting of the committee or by a writing or writings signed by all of its members. Any act or authorization by any such committee within the authority delegated to it shall be as effective for all purposes as the act or authorization of the Board of Directors. Each committee shall establish its own procedures for scheduling and giving notice of its meetings, establishing agendas, maintaining records of its meetings and actions, and other administrative matters, subject to any such procedures which may be established for that committee or all committees by the Board of Directors.

ARTICLE VI

INDEMNIFICATION

Section 6.01. The Association shall indemnify any Director, officer or employee of the Association who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (including, without limitation, any action threatened or instituted by or in the right of the Association), by reason of the fact that that individual is or was a Director, officer, employee, agent or volunteer of the Association, or is or was serving at the request of the Association as a director, officer, employee, agent or volunteer of another corporation (domestic or foreign, nonprofit or for

profit), limited liability company, partnership, joint venture, trust or other enterprise, against expenses (including, without limitation, attorneys' fees, filing fees, court reporters' fees and transcript costs), judgments, fines and amounts paid in settlement actually and reasonably incurred by that person in connection with such action, suit or proceeding if that individual acted in good faith and in a manner that individual reasonably believed to be in or not opposed to the best interests of the Association, and with respect to any criminal action or proceeding, that individual had no reasonable cause to believe that individual's conduct was unlawful. An individual claiming indemnification under this Section 6.01 shall be presumed, in respect of any act or omission giving rise to such claim for indemnification, to have acted in good faith and in a manner that individual reasonably believed to be in or not opposed to the best interests of the Association, and with respect to any criminal matter, to have had no reasonable cause to believe that individual's conduct was unlawful, and the termination of any action, suit or proceeding by judgment, order, settlement or conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, rebut such presumption.

Section 6.02. The Association may indemnify any agent or volunteer of the Association who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (including, without limitation, any action threatened or instituted by or in the right of the Association), by reason of the fact that he or she is or was an agent or volunteer of the Association, or is or was serving at the request of the Association as a director, trustee, officer, employee, agent or volunteer of another corporation (domestic or foreign, nonprofit or for profit), limited liability company, partnership, joint venture, trust or other enterprise, against expenses (including, without limitation, attorneys' fees, filing fees, court reporters' fees and transcript costs), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Association, and with respect to any criminal action or proceeding, he or she had not reasonable cause to believe his or her conduct was unlawful. The Association's decision to provide indemnification under this Section 6.02 presumes that the Association believes the agent or volunteer, in respect of any act or omission giving rise to such claim for indemnification, to have acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Association, and with respect to any criminal matter, to have had no reasonable cause to believe his or her conduct was unlawful, and the termination of any action, suit or proceeding by judgment, order, settlement or conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, rebut such presumption. Such decision shall be made in any of the following manners: (a) by a majority vote of a quorum consisting of directors of the Association who were not and are not parties to or threatened with the action, suit or proceeding in question, or (b) by the members of the Association by majority vote.

Section 6.03. Anything contained in this Code of Regulations or elsewhere to the contrary notwithstanding:

a) the Association shall not indemnify any Director, officer, employee, agent or volunteer of the Association who was a party to any completed action or suit instituted by or in the right of the Association to procure a judgment in its favor by reason of the fact that that individual is or was a trustee, director, officer, employee, agent or volunteer of the Association, or is or was serving at the request of the Association as a director, officer, employee, agent or volunteer of another corporation (domestic or foreign, nonprofit or for profit), limited liability company, partnership, joint venture, trust or other enterprise, in respect of any claim, issue or matter asserted in such action or suit as to which that individual shall have been adjudged to be liable for acting with reckless disregard for the best interests of the Association or misconduct (other than negligence) in the performance of that individual's duty to the Association, unless and only to the extent that the Court of Common Pleas of a county where all or any part of the Subdivision or development is located or the court in which such action or suit was brought shall determine upon application that, despite such adjudication of liability, and in view of all the circumstances of the case, that individual is fairly and reasonably entitled to such indemnity as such Court of Common Pleas or such other court shall deem proper; and

b) the Association shall promptly make any such unpaid indemnification as is determined by a court to be proper as contemplated by this Section 6.03.

Section 6.04. Anything contained in this Code of Regulations or elsewhere to the contrary notwithstanding, to the extent that any Director, officer or employee of the Association has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 6.01, or in defense of any claim, issue or matter therein, that individual shall be promptly indemnified by the Association against expenses (including, without limitation, attorneys' fees, filing fees, court reporters' fees and transcript costs) actually and reasonably incurred in connection therewith.

Section 6.05. Anything contained in this Code of Regulations or elsewhere to the contrary notwithstanding, to the extent that any agent, or volunteer of the Association, who the Association has decided to indemnify under 6.02, has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 6.02, or in defense of any claim, issue or matter therein, he or she shall be promptly indemnified by the Association against expenses (including without limitation, attorney's fees, filing fees, court reporters' fees and transcript costs) actually and reasonably incurred by him or her in connection therewith.

Section 6.06. Any indemnification required under Section 6.01 or approved by the Association under 6.02 and not precluded under Section 6.03 shall be made by the Association only upon a determination that such indemnification of the Director, officer, employee, agent or volunteer is proper in the circumstances because that individual has met the applicable standard of conduct set forth in Sections 6.01 and 6.02, as applicable. Such determination may be made only (a) by a majority vote of a quorum consisting of Directors of the Association who were not and are not parties to, or threatened with, any such action, suit or proceeding, or (b) if such a quorum is not obtainable or if a majority of a quorum of disinterested Directors so directs, in a written opinion by independent legal counsel other than an attorney, or a firm having associated with it an attorney, who has been retained by or who has performed services for the Association, or any individual to be indemnified, within the past five years, or (c) by the Members, or (d) by the Court of Common Pleas of a county where all or any part of the Subdivision or development is located, or (if the Association is a party thereto) the court in which such action, suit or proceeding was brought, if any; and such determination may be made by a court under division (d) of this Section 6.06 at any time; and no decision for any reason to make any such determination, and no decision for any reason to deny such determination, by the disinterested Directors under division (a) or by independent legal counsel under division (b) or by the Members under ~~division~~ (c) of this Section 6.06 shall be evidenced in rebuttal of the presumption recited in Section 6.01 or the determination of the Association in Section 6.02. Any determination made by the disinterested Directors under division (a) or by independent legal counsel under division (b) or by the Members under division (c) of this Section 6.06 to make indemnification in respect of any claim, issue or matter asserted in an action or suit threatened or brought by or in the right of the Association shall be promptly communicated to the individual who threatened or brought such action or suit, and within ten (10) days after receipt of such notification such individual shall have the right to petition the Court of Common Pleas of a county where all or any part of the Subdivision or development is located or the court in which such action or suit was brought, if any, to review the reasonableness of such determination.

Section 6.07. Expenses (including, without limitation, attorneys' fees, filing fees, court reporters' fees and transcript costs) incurred in defending any action, suit or proceeding referred to in Section 6.01 shall be paid by the Association in advance of the final disposition of such action, suit or proceeding to or on behalf of the officer or Director promptly as such expenses are incurred by that individual, but only if such officer or Director shall first agree, in writing, to repay all amounts so paid in respect of any claim, issue or other matter asserted in such action, suit or proceeding in defense of which that individual shall not have been successful on the merits or otherwise:

- a) if it shall ultimately be determined as provided in Section 6.04 that the individual is not entitled to be indemnified by the Association as provided under

Section 6.01 (for Directors, officers or employees), or 6.02 (for agents or volunteers); or

b) if, in respect of any claim, issue or other matter asserted by or in the right of the Association in such action or suit, that individual shall have been adjudged to be liable for acting with reckless disregard for the best interests of the Association or misconduct (other than negligence) in the performance of that individual's duty to the Association, unless and only to the extent that the Court of Common Pleas of a county where all or any part of the Subdivision or development is located or the court in which such action or suit was brought shall determine upon application that, despite such adjudication of liability, and in view of all the circumstances, that individual is fairly and reasonably entitled to all or part of such indemnification.

Section 6.08. The indemnification provided by this Article VI shall not be exclusive of, and shall be in addition to, any other rights to which any person seeking indemnification may be entitled under the Articles or this Code of Regulations or any agreement, vote of Members or disinterested Directors, or otherwise, both as to action in that individual's official capacity and as to action in another capacity while holding such office, and shall continue as to an individual who has ceased to be an officer or Director of the Association and shall inure to the benefit of the heirs, executors, and administrator of such individual.

Section 6.09. The Association may purchase and maintain insurance or furnish similar protection, including but not limited to trust funds, letters of credit, or self-insurance, on behalf of any individual who is or was a Director, officer, employee, agent or volunteer of the Association, or is or was serving at the request of the Association as a director, trustee, officer, employee, agent or volunteer of another corporation (domestic or foreign, nonprofit or for profit), limited liability company, partnership, joint venture, trust or other enterprise, against any liability asserted against that individual and incurred by that individual in any such capacity, or arising out of that individual's status as such, whether or not the Association would have the obligation or the power to indemnify that individual against such liability under the provisions of this Article VI. Insurance may be purchased from or maintained with an individual in which the Association has a financial interest.

Section 6.10. For purposes of this Article VI, and as examples and not by way of limitation:

a) An individual claiming indemnification under this Article VI shall be deemed to have been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 6.01 or Section 6.02, or in defense of any claim, issue or other matter therein, if such action, suit or proceeding referred to Section 6.01 or Section 6.02, or in defense of any claim, issue or other matter therein, if such action, suit or proceeding shall be terminated as to such person, with

or without prejudice, without the entry of a judgment or order against that individual, without a conviction of that individual, without the imposition of a fine upon that individual and without that individual's payment or agreement to pay any amount in settlement thereof (whether or not any such termination is based upon a judicial or other determination of the lack of merit of the claims made against that individual or otherwise results in a vindication of that individual);

b) References to any "other enterprise" shall include employee benefit plans; references to a "fine" shall include any excise taxes assessed on an individual with respect to an employee benefit plan; and references to "serving at the request of the Association" shall include any service as a Director, officer, employee, agent or volunteer of the Association which imposes duties on, or involves services by, such Director, officer, employee, agent or volunteer with respect to an employee benefit plan, its participants or beneficiaries; and an individual who acted in good faith and in a manner that individual reasonably believed to be in the best interests of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interests of the Association" within the meaning of that term as used in this Article VI; and

c) The term "volunteer" shall mean an agent of the Association, or another individual associated with the Association, who (i) performs services for or on behalf of, and under the authority or auspices of, the Association, and (ii) does not receive compensation, either directly or indirectly, for performing those services. Compensation does not include (i) actual and necessary expenses that are incurred by the volunteer in connection with the services performed for the Association and that are reimbursed to the volunteer or otherwise paid; (ii) insurance premiums paid on behalf of the volunteer and amounts paid, advanced or reimbursed pursuant to this Article VI, Section 1702.12(E) of the Ohio Revised Code or any indemnification agreement, resolution or similar arrangement; or (iii) modest prerequisites.

Section 6.11. Any action, suit or proceeding to determine a claim for indemnification under this Article VI may be maintained by the person claiming such indemnification, or by the Association, in the Court of Common Pleas of a county where all or any part of the Subdivision or development is located. The Association and (by claiming such indemnification) each such individual consent to the exercise of jurisdiction over its or that individual by the Court of Common Pleas of a county where all or any part of the Subdivision or development is located in any such action, suit or proceeding.

ARTICLE VII

NOTICES AND DEMANDS

Section 7.01. Any notice or demand which is required to be given or delivered to or served upon a Member of the Association shall be in writing and shall be deemed to have been given, delivered or served when delivered personally to him or her or mailed to him or her at his or her address as it appears on the records of the Association.

Section 7.02. In computing the period of time for the giving of a notice required or permitted under the Articles of Incorporation, this Code of Regulations or a resolution of the Members or Directors, the day on which the notice is given shall be excluded, and the day when the act for which notice is given is to be done shall be included, unless the instrument calling for the notice otherwise provides. If notice is permitted to be given by mail, the notice shall be deemed to have been given when deposited in the mail.

ARTICLE VIII

AMENDMENTS

Section 8.01. Until such time as the Declarant elects to relinquish its voting right under Section 2.02, this Code of Regulations may be amended by the unanimous consent of the Board of Directors. Any amendment to the Code of Regulations adopted by the Board shall be filed and recorded in the office of the recorder of the county or counties in which any part of the Subdivision or development is located within sixty days after the date of adoption of the amendment.

Section 8.02. After the Turnover Date, this Code of Regulations may be amended or a new Code of Regulations may be adopted at a meeting of voting Members held for that purpose or in a vote conducted by mail by the affirmative vote of those Members entitled to exercise not less than seventy-five percent (75%) of the total voting power of Members. The foregoing notwithstanding, any amendment terminating and dissolving the Association shall require the unanimous consent of all Members.

Section 8.03. Any amendments to this Code of Regulations shall be recorded in the office of the recorder of the county or counties in which the planned community is located within sixty days after the date of adoption of the amendment as required by law.

ARTICLE IX

DURATION

Section 9.01. The Association shall exist so long as the provisions of the Declaration are applicable to the Subdivision or development.

ARTICLE X

MISCELLANEOUS

Section 10.01. This Code of Regulations shall also be deemed to be Bylaws as the same is defined in Chapter 5312 of the Ohio Revised Code.

C. Draft Traffic Study



February 18, 2025

Mr. Luke Sutton, PE
Union County Engineer's Office
233 W. Sixth Street
Marysville, OH 43040

Re: 9317 Brock Road Traffic Memo
Jerome Township, Union County, Ohio

Dear Luke:

Please consider this a traffic memo for the subject site.

BACKGROUND

The subject site is located on the south side of Brock Road, east of US 33. The site is planned to be developed with 43 single family units and incorporate two (2) existing homes. Figure 1 attached shows the location of the site. One site access is proposed on Brock Road and only 18 additional homes are tributary to this new access. The remaining 25 lots will have access through Homestead at Scotts Farm. Figure 2 attached shows the site plan. The permitting agency for the access on Brock Road is the Union County Engineer's Office (UCEO). The UCEO is requiring a traffic memo for the site. The scope of the traffic memo is contained in a Memo of Understanding (MOU) dated 1/23/2025 and approved on 1/29/2025. The MOU is attached for reference.

EXISTING CONDITIONS

Brock Road is a two-lane section. Table 1 shows the speed limit for the roadway in the study area.

STREET	POSTED SPEED LIMIT	DESIGN SPEED
Brock Road	50 MPH	55 MPH

TABLE 1- Summary of Roadway Information

PROJECTED SITE TRAFFIC

Trip Generation

The accepted method for computing trip generation in the traffic engineering profession is *Trip Generation Manual, 11th Edition* published by the Institute of

Transportation Engineers (ITE). This report provides trip rates for different land uses based on data from sample sites in each category. The land use used to represent the site is "Single-Family Detached Housing" (ITE Code #210). Table 2 attached shows the trip generation calculations.

Trip Distribution

The trip distribution is the same as the trip distribution used in the *Scott Property TIS REV. 1*, also prepared by Smart Services Inc., and is as follows:

- 79% to/from the west on Brock Rd.
 - 18% to/from the east on Industrial Parkway
 - 61% to/from the west on Industrial Parkway
- 21% to/from the east on Brock Rd. or McKittrick Road

DESIGN YEAR TRAFFIC

The 2035 'Build' traffic in the *Del Webb Jerome Twp #1 Traffic Impact Study* prepared by Smart Services, Inc. and dated 8/24/2023 can be used as the 'No Build' in this Traffic Memo. Figures 10 and 11 from the *Del Webb Jerome Twp #1 Traffic Impact Study* are attached. At Scott's Farm Site Access (20-Brock Road & Ridge Road) turn volumes from *Scott Property TIS REV 1* dated 4/2021 were used. The background volumes were balanced to the northeast. Figures 3A and 3B attached show the 'Build' traffic for this Traffic Memo.

ANALYSIS

Left Turn Lane Warrants

The UCEO left turn lane requirements are per the ODOT graphs found in the *ODOT L&D Manual*. The results show that a left turn lane is not warranted. The graph from the *L&D Manual* is attached.

Percentage of Site Traffic at Study Area Intersections

Based on the volumes developed in Figures 3A and 3B, the percentage of site traffic was calculated. Table 3 shows the calculations.

CONCLUSIONS

The following is a summary of the conclusions of the study:

20-Brock Road & Prop. Site Access

- A southbound left turn lane is not warranted.

4141-Industrial Parkway & Brock Road

- Site traffic represents 2% of the traffic at the intersection.

9317 Brock Road Traffic Memo
Jerome Township, Union County, Ohio

Smart Services, Inc.
2/18/2025

Please let me know if you have any questions. Thank you.

Sincerely,
SMART SERVICES, INC.



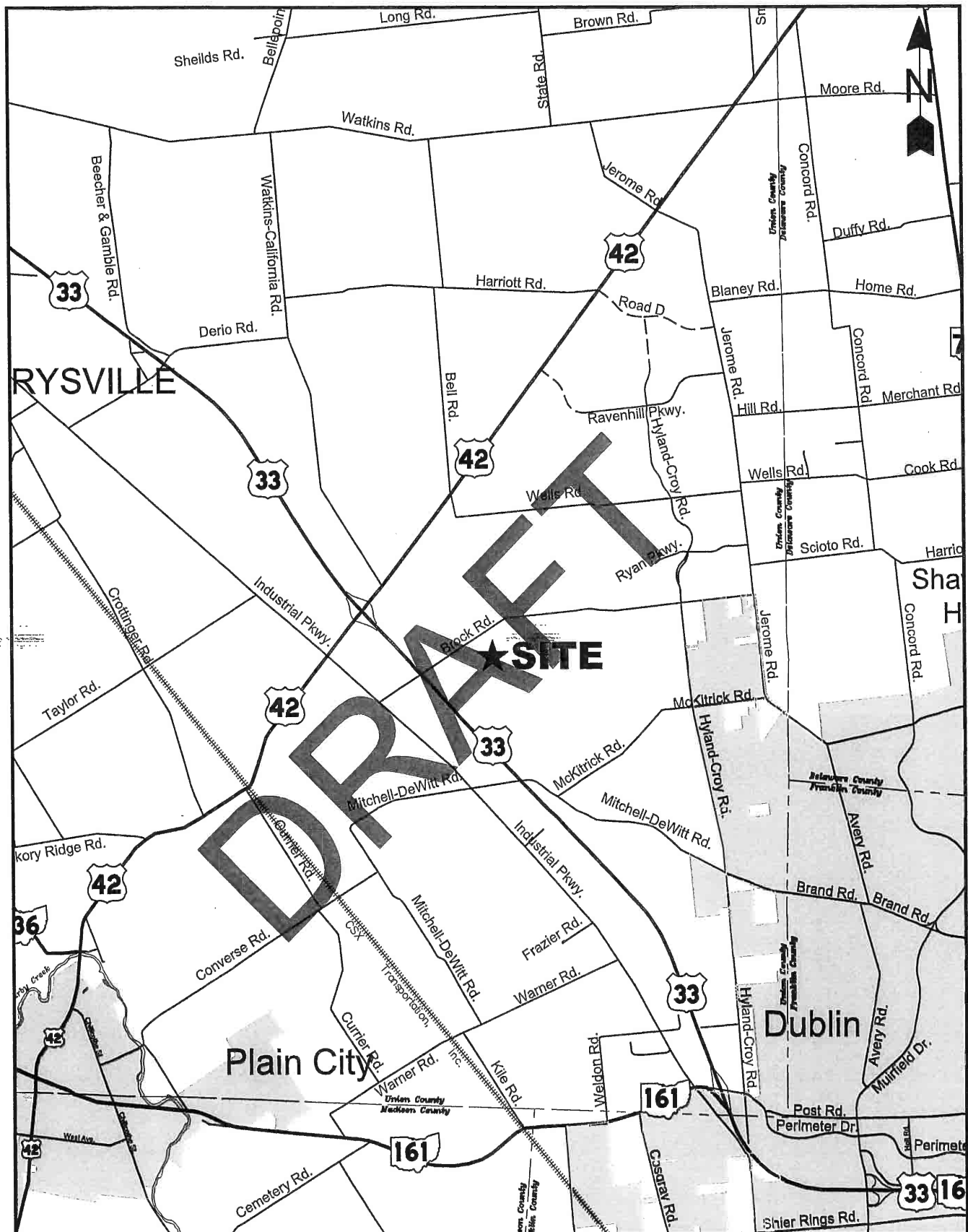
Registered Engineer No. E-64507, Ohio
Todd J. Stanhope, PE, PTOE
Director of Traffic Engineering

Date

Cc: N. Kunzelman - EK Development

Submitted: One electronic copy (PDF format) via e-mail

DRAFT



9317 BROCK ROAD TRAFFIC IMPACT STUDY

PREPARED BY: **SMART**
SERVICES

2/2025

FIGURE 1

SITE LOCATION

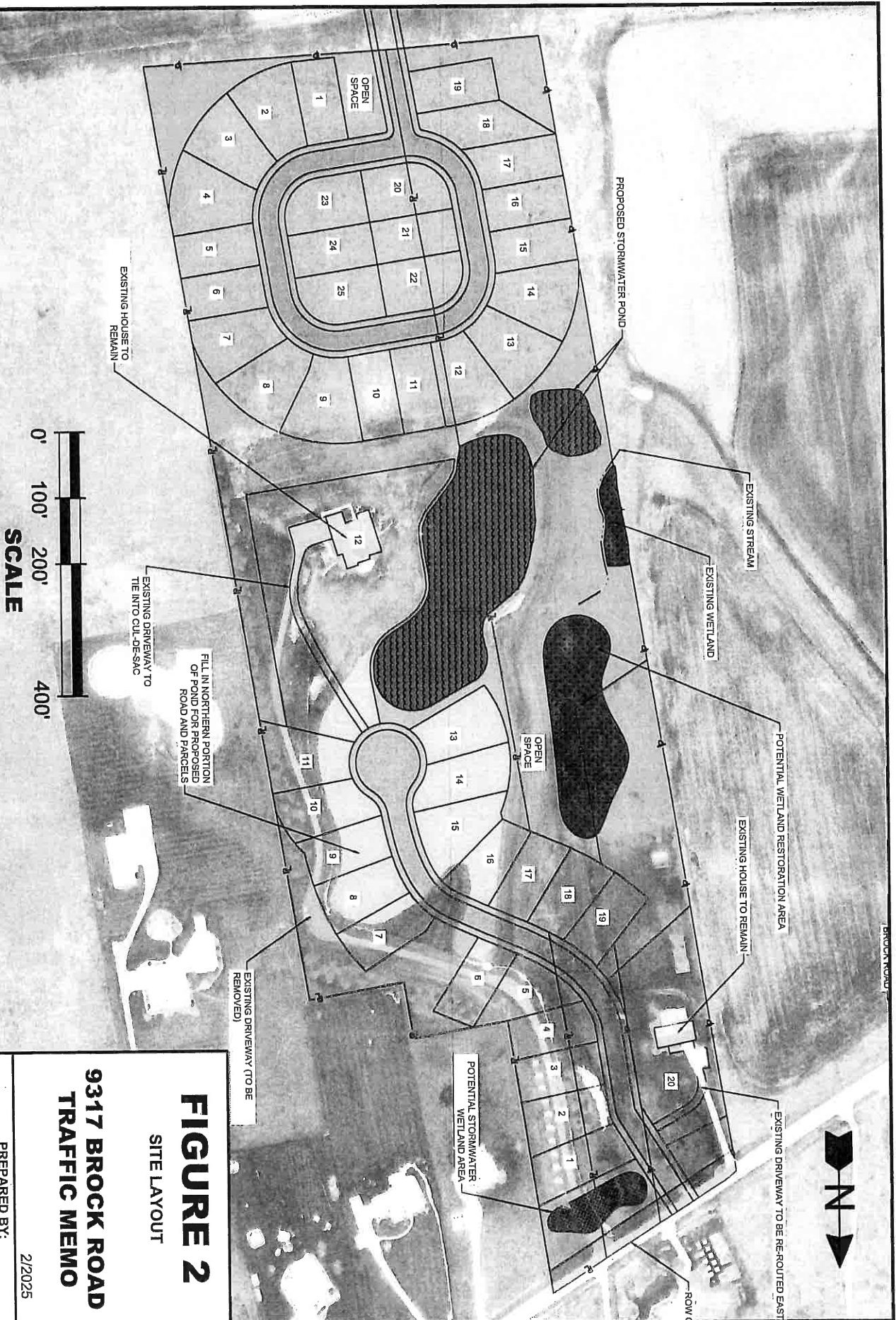


FIGURE 2

SITE LAYOUT

**9317 BROCK ROAD
TRAFFIC MEMO**

PREPARED BY:
SMART
SERVICES

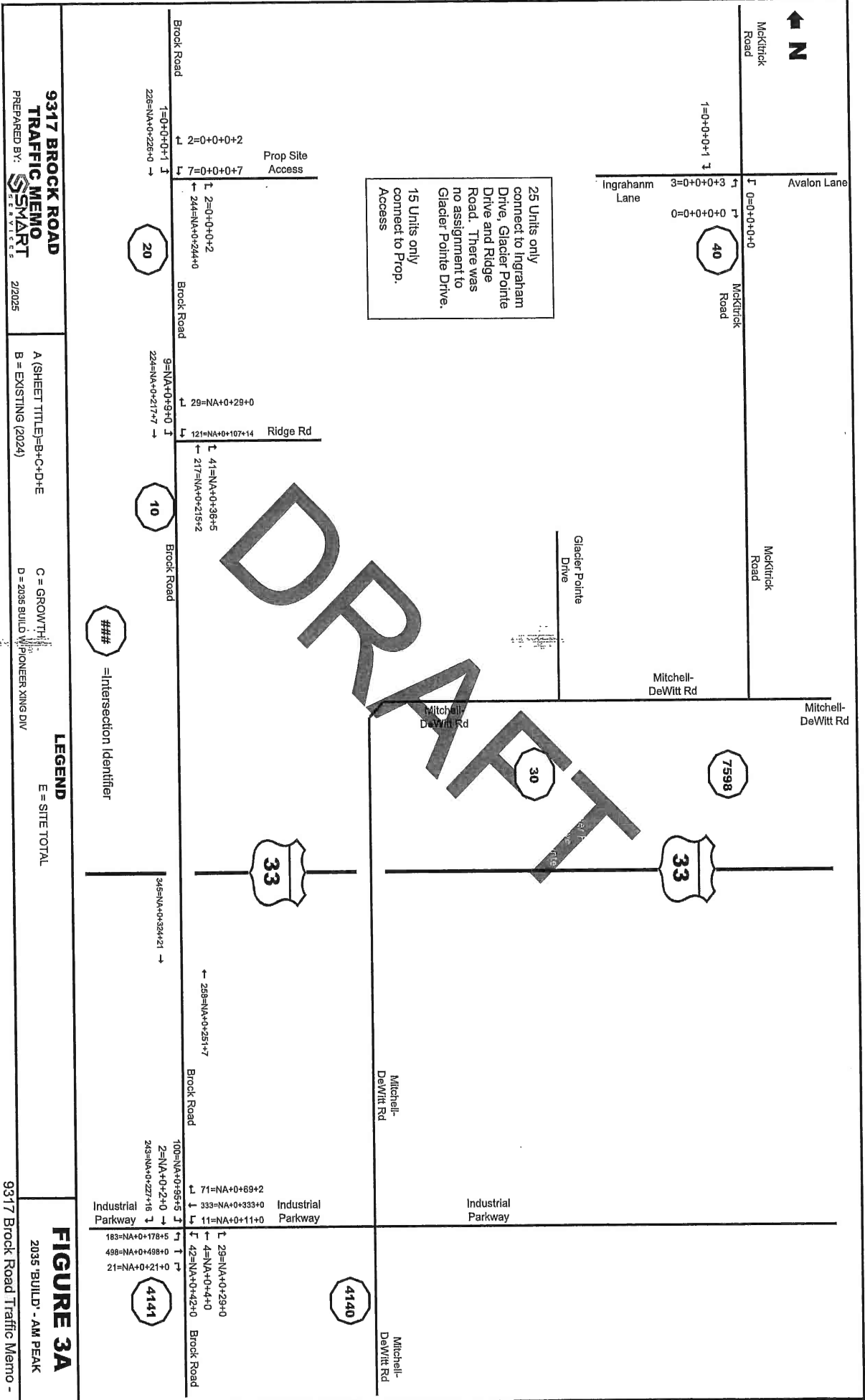
2/2025

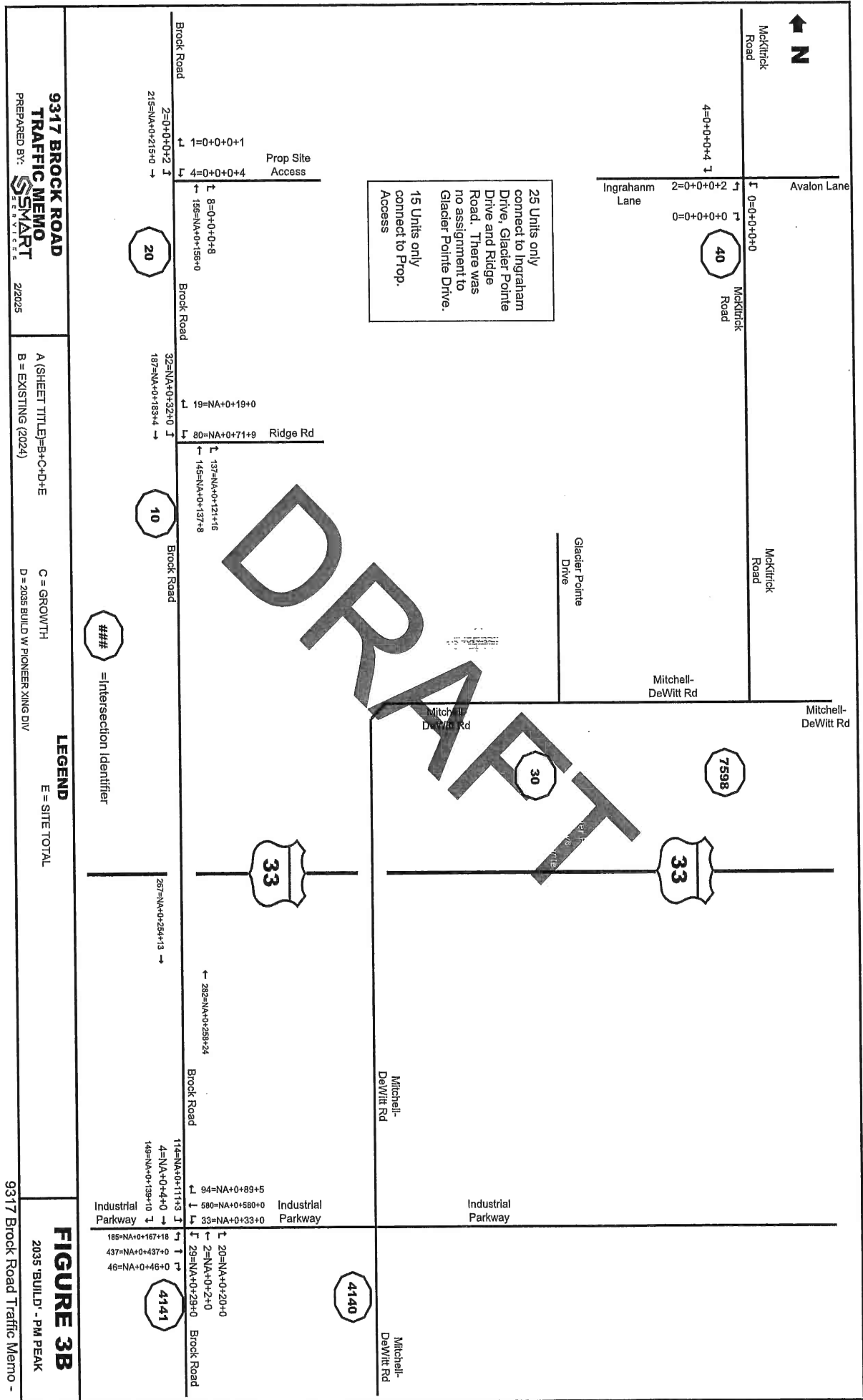
TIS SUBAREA	LAND USE	TIME OF DAY	DATA SET Trip Generation Manual, 11th Edition (Unless noted Otherwise)	RATE OR EQUATION FROM: Trip Generation Manual, 11th Edition (Unless noted Otherwise)	TOTAL TRIPS	ENTERING		EXITING	
						%	TOTAL TRIPS	%	TOTAL TRIPS
1	Single-Family Detached Housing (ITE Code #210)	Daily	Weekday	$\ln(T)=0.92\ln(X)+2.68$	484	50%	242	50%	242
		AM Peak	Peak Hour of Adj. Street Traffic, One Hour between 7 & 9 AM	$\ln(T)=0.91\ln(X)+0.12$	36	25%	9	75%	27
		PM Peak	Peak Hour of Adj. Street Traffic, One Hour between 4 & 6 PM	$\ln(T)=0.94\ln(X)+0.27$	47	63%	30	37%	17
TOTALS			Daily AM Peak PM Peak		484 36 47		242 9 30		242 27 17

9317 Brock Road Traffic Memo - 2/2025

TABLE 2 - SITE TRIP GENERATION SUMMARY

9317 Brock Road Traffic Memo - 2/2025





ID	INTERSECTION	2035 'BUILD' - AM PEAK			2035 'BUILD' - PM PEAK			AM PEAK & PM PEAK		
		Intersection			Intersection			Intersection		
		Site	Total	% Site	Site	Total	% Site	Site	Total	% Site
4141	Industrial Parkway & Brock Road	28	1537	1.8%	36	1693	2.1%	64	3230	2.0%

9317 Brock Road Traffic Memo - 2/2025

TABLE 3 - SITE GENERATED TRAFFIC AT STUDY INTERSECTIONS

DRAFT

From: [Luke Sutton](#)
To: [Todd Stanhope](#)
Cc: nkunzelman@iolanltd.com
Subject: RE: 9317 Brock Road
Date: Wednesday, January 29, 2025 8:43:10 AM
Attachments: [image002.png](#)
[image004.png](#)

Todd,

This MOU is acceptable.

Also, I do not believe this site has gone through the sketch plan meeting process yet. It would be a good idea for the developer to begin this process. Please see the subdivision regs for requirements. Sketch plans can be emailed directly to me, and we have a standing meeting that is once a month for these types of meetings. Have the developer reach out to me with any questions.

Thanks,

Luke Sutton, PE
Union County Engineer
233 West Sixth Street
Marysville, OH 43040
Ph: (937) 645-3168
lsutton@unioncountyohio.gov



From: Todd Stanhope <TStanhope@smartservices-inc.com>
Sent: Thursday, January 23, 2025 12:30 PM
To: Luke Sutton <lsutton@unioncountyohio.gov>
Cc: nkunzelman@iolanltd.com
Subject: RE: 9317 Brock Road

Luke

For the UCEO's review, attached is an MOU for the subject Traffic Memo. I have also attached the current site plan for reference.

Thank you.

TODD STANHOPE, PE, PTOE
SMART SERVICES
DIRECTOR OF TRAFFIC ENGINEERING

✉ tstanhope@smartservices-inc.com
📍 1900 Crown Park Ct, Columbus, OH 43235
☎ OFFICE 614.914.5543 FAX 740.522.4706
🌐 SmartServices-Inc.com

From: Luke Sutton <lsutton@unioncountyohio.gov>
Sent: Tuesday, November 26, 2024 8:36 AM
To: Todd Stanhope <TStanhope@smartservices-inc.com>
Cc: enkunzel@asu.edu
Subject: Re: 9317 Brock Road

Todd,

Yes, this is an acceptable method for this size of development.

Thanks,

Luke

On Nov 25, 2024, at 4:10 PM, Todd Stanhope <TStanhope@smartservices-inc.com> wrote:

Luke

I left a voicemail on the subject site. I was wondering if we can prepare a Memo for the subject site (18 Lots tributary to Brock Road.) like we did for the Mitchell-Dewitt Site (dated 10/16/2024). We can provide a percent site traffic for Industrial Parkway & Brock Road based on the background traffic in the *Del Webb – Jerome Twp #1 TIS* that we prepared.

Please let us know if this works for you. Thank you.

<image001.png>



January 23, 2025

Mr. Luke Sutton, PE
Union County Engineer's Office
233 W. Sixth Street
Marysville, OH 43040

Re: 9317 Brock Road Traffic Memo – Memo of Understanding
Jerome Township, Union County, Ohio

Dear Luke:

Please consider this letter a Memo of Understanding (MOU) for the traffic memo required for the subject development.

The subject site is located on the south side of Brock Road, east of US 33. The site is planned to be developed with 43 single family units and incorporate two (2) existing homes. One site access is proposed on Brock Road and only 18 additional homes are tributary to this new access. The remaining 25 lots will have access through Homestead at Scotts Farm. The permitting agency for the access on Brock Road is the Union County Engineer's Office (UCEO). The UCEO is requiring a traffic memo for the site.

The following is our understanding of the scope of the study based on previous Traffic Memos prepared for the Union County Engineer's Office:

- The study area is limited to the site access on Brock Road and the intersection of Industrial Parkway & Brock Road.
- Table A shows the speed limit for the roadway in the study area.

STREET	POSTED SPEED LIMIT	DESIGN SPEED
Brock Road	50 MPH	55 MPH

TABLE A - Summary of Roadway Information

- Data Collection – No Data collection is required.
- Trip Generation - Site traffic will be computed using *Trip Generation, 11th Edition* published by ITE.
- Both the assignment of the 18 lots tributary to Brock Road and assignment of the remaining 25 lots will be made. The purpose of assigning the 25 lots not tributary to Brock Road is to include how many of those trips go through the Industrial Parkway & Brock Road intersection.

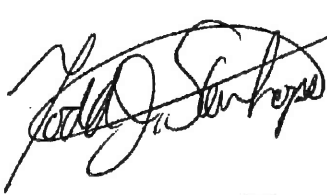
- Design Year Traffic Development - The design year will be 2035. Background traffic will be obtained from the *Del Webb Jerome Twp #1 Traffic Impact Study* prepared by Smart Services, Inc. and dated 8/24/2023.
- Analyses - The analysis will be performed for the design year.
 - A left turn lane warrant will be analyzed at the site access on Brock Road.
 - If a left turn lane is warranted, the length of the warranted turn lane will be calculated as per the method in Section 400 of the *ODOT L&D Manual*.
 - A percentage of site traffic will be calculated at the intersection of Industrial Parkway & Brock Road for the design year traffic.

A memo will be produced that includes details regarding how traffic was developed for the opening year. The required analysis will be referenced, and a summary of the conclusions will be provided.

If this MOU is acceptable to you, please indicate your approval in the space provided below. If not, please let us know what items need to be changed. If you have any questions, please contact me. Thank you!

Sincerely,

SMART SERVICES, INC.



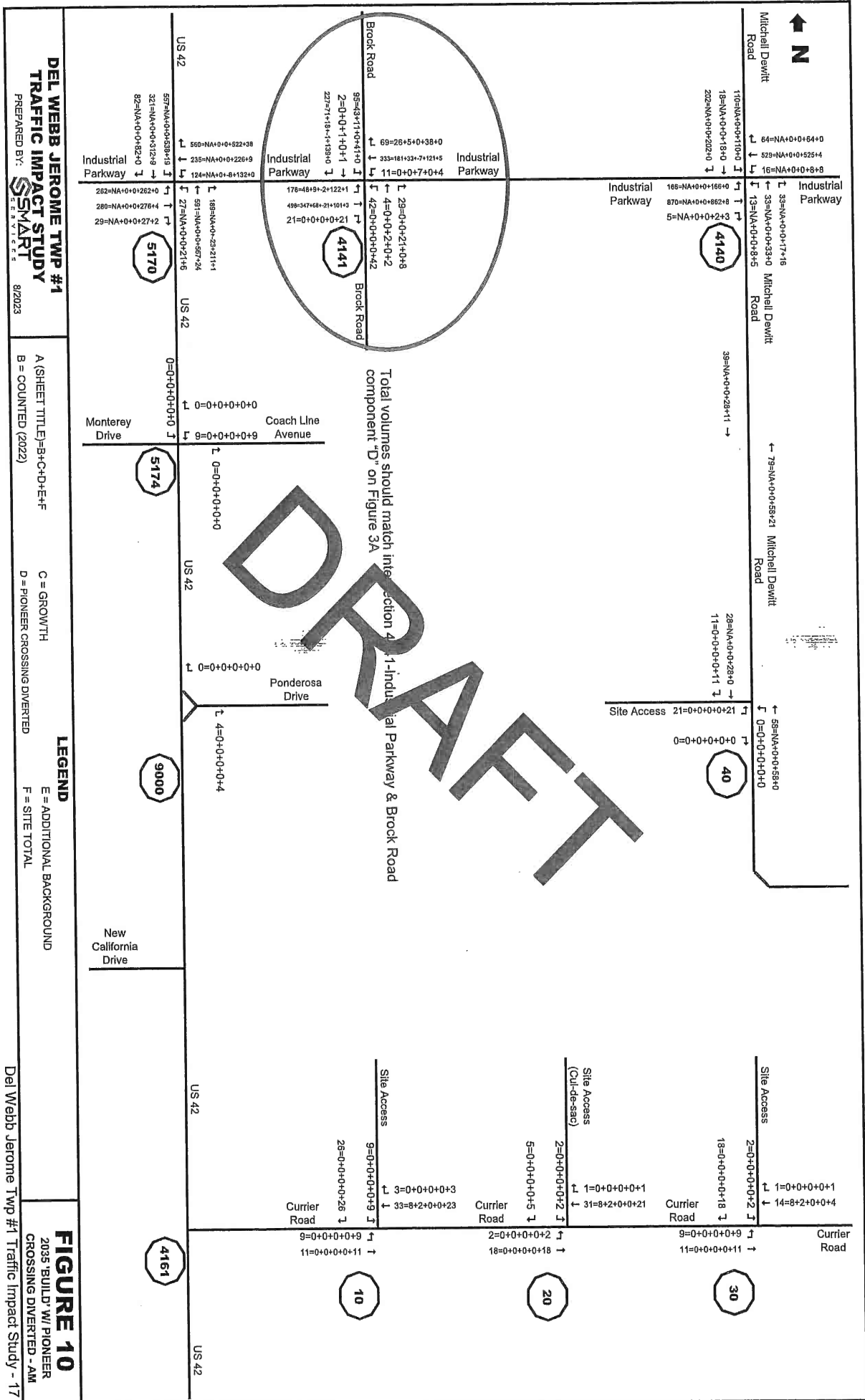
Todd J. Stanhope, PE, PTOE
Director of Traffic Engineering

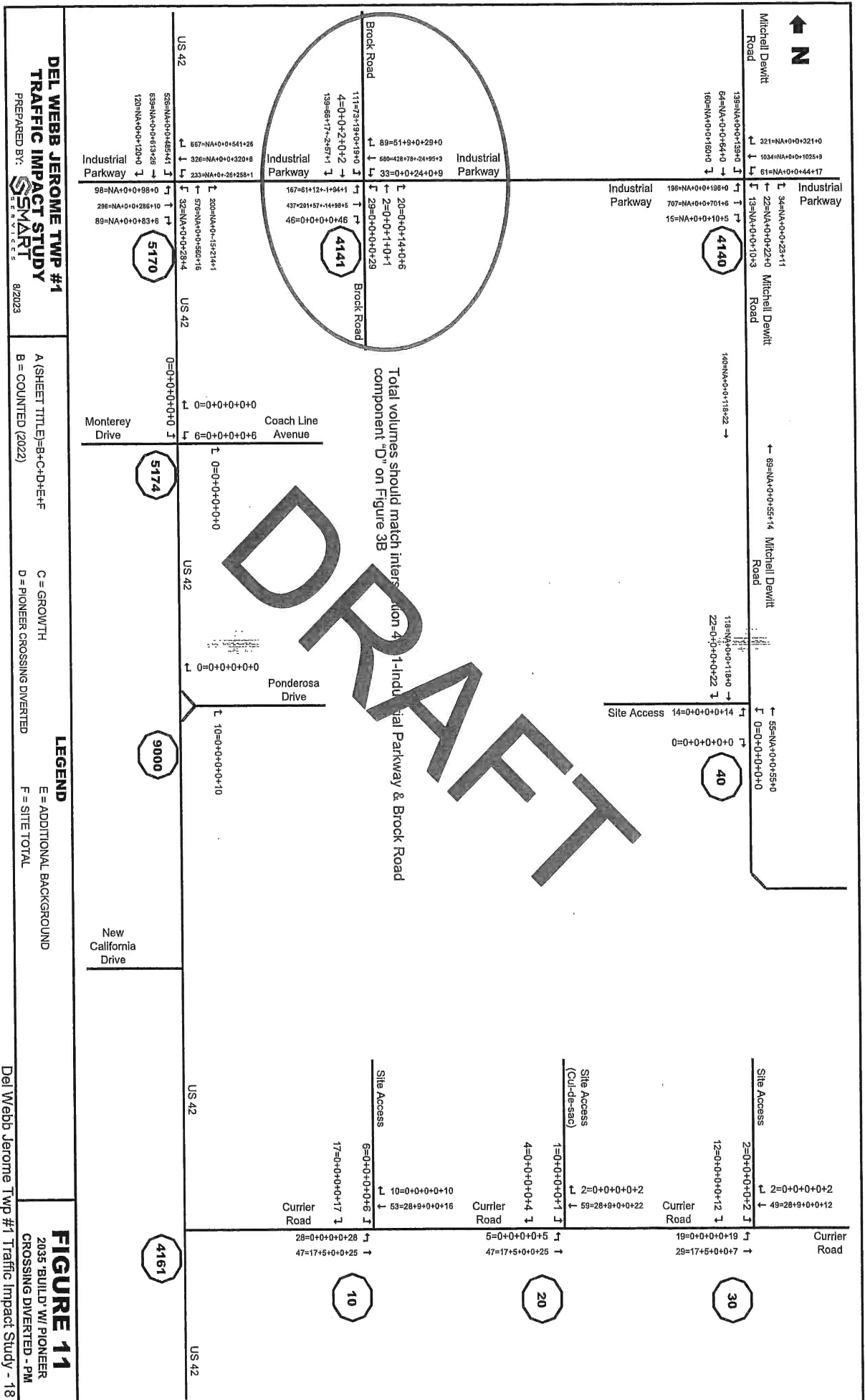
Submitted: One electronic copy (PDF format) via e-mail

Cc: N. Kunzelman - EK Development

Union County Engineer's Office

Approved: _____ Date: _____

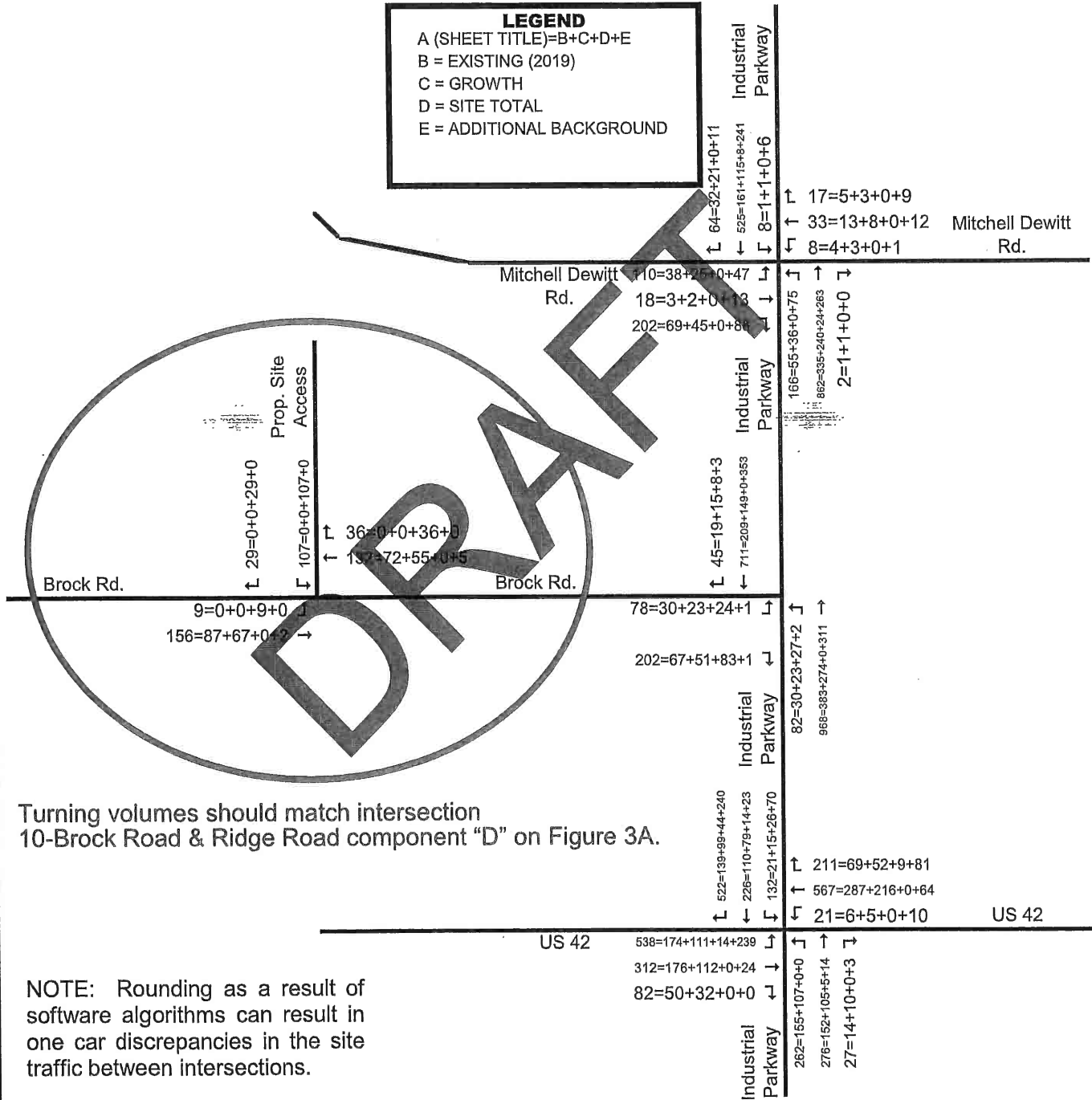




NOTE: Existing AM Peak volumes have been adjusted to account for the covid-19 pandemic.



LEGEND
 A (SHEET TITLE)=B+C+D+E
 B = EXISTING (2019)
 C = GROWTH
 D = SITE TOTAL
 E = ADDITIONAL BACKGROUND



NOTE: Rounding as a result of software algorithms can result in one car discrepancies in the site traffic between intersections.

NOTE: Existing PM Peak volumes have been adjusted to account for the covid-19 pandemic.



LEGEND

A (SHEET TITLE)=B+C+D+E

B = EXISTING (2019)

C = GROWTH

D = SITE TOTAL

E = ADDITIONAL BACKGROUND

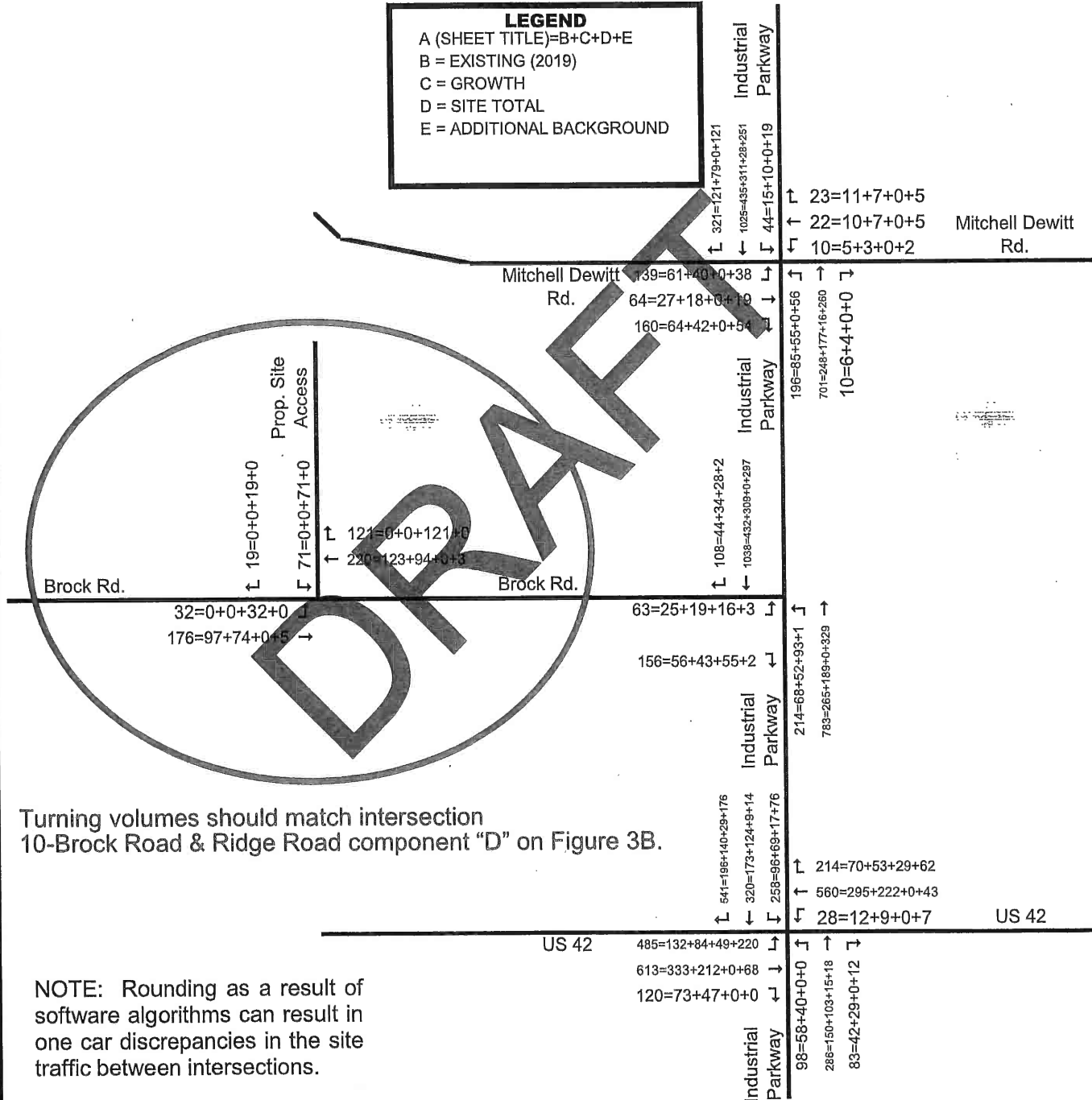


Figure 10-10 is a line graph showing the relationship between Advancing Traffic* (dhv) on the Y-axis and Opposing Traffic (dhv) on the X-axis. The Y-axis ranges from 0 to 1600 in increments of 100. The X-axis ranges from 0 to 1200 in increments of 100. The graph displays several downward-sloping lines representing different Left Turn % values: 1%, 2%, 5%, 10%, 15%, 30%, and 35%. A horizontal line at approximately 1100 dhv is labeled "Left Turn Lane Required". A horizontal line at approximately 100 dhv is labeled "Left Turn Lane Not Required". Two callouts, 1P and 1A, point to the 30% Left Turn % line. Callout 1P points to the line at approximately 100 dhv, and callout 1A points to the line at approximately 350 dhv.

[illegible]

2 LANE HIGHWAY LEFT TURN LANE WARRANT (> 40 MPH)

determined to be an Individual Lot Assessment by the Board. By way of illustration, and not of limitation, the Board may levy an Individual Lot Assessment in the nature of an administrative charge reasonably determined by the Board against any Lot Owner who violates any provision of the Governing Documents, or who suffers or permits the Members, guests, invitees or tenants of that Owner's Lot to violate the same or any provision of the Governing Documents, including the restrictions contained herein and in the Rules. Upon its determination to levy an Individual Lot Assessment, the Board shall give the affected Lot Owner written notice and the right to be heard by the Board or a duly appointed committee thereof in connection with such Individual Lot Assessment no fewer than ten (10) days prior to the effective date of the levy of any such Lot Assessment.

5.5. Remedies.

- (a) Acceleration. If any installment of an Assessment, or portion thereof, is not paid within ten (10) days after the same has become due, the Board, at its option, without demand or notice, may call the entire balance of the Assessment due.
- (b) Late Charge. If any portion of any Assessment remains unpaid for ten (10) days after all or any part thereof shall become due and payable, the Board may charge interest on the entire unpaid balance from and after that date at the lesser of (i) the "prime rate" charged locally by a nationally recognized bank in the Columbus area plus five percent (5%) per annum or (ii) the highest rate permitted by law, together with a reasonable administrative collection charge, as established by the Board.
- (c) Liability for Unpaid Assessments. Each Assessment or installment of an Assessment, together with interest thereon and any and all costs of collection, including reasonable attorneys' fees, shall become the joint and several personal obligation of the Owners of the Lot charged the same, beginning on the date the Assessment or installment thereof becomes due and payable. The Board may authorize the Association to institute and prosecute to completion an action at law on behalf of the Association against the Owner or Owners personally obligated to pay any delinquent Assessment, and/or an action to foreclose the Association's lien or liens against a Lot or Lots for unpaid Assessments owed by that Lot and the Owner or Owners thereof. In any such action, interests and costs of such action, including reasonable attorneys' fees, shall be added to the amounts owed by the Owner or Owners and the Lot to the extent permitted by Ohio law.
- (d) Liens. All unpaid Assessments, or portions thereof, together with any interest and charges thereon or costs of collection, shall constitute a continuing charge in favor of the Association and a lien on the Lot against which the Assessment was levied. If any Assessment, or portion thereof, remains unpaid for ten (10) days after it is due, then the Board may authorize any Officer or appointed agent of the Association to file a certificate of lien for all or any part of the unpaid balance of that Assessment, together with interest and collection costs, including attorneys' fees, with the appropriate governmental office. The certificate shall contain a description of the Lot which the lien encumbers, the name of the Owner or Owners of that Lot, and the amount of the unpaid portion of the Assessment. The certificate may be signed by any Officer, authorized agent or the Manager of the Association or its authorized representative. Upon the filing of the

certificate, the subject Lot shall be encumbered by a continuing lien in favor of the Association. The Assessment lien shall remain valid for a period of five (5) years from the date such certificate is duly filed, unless the lien is released earlier or satisfied in the same manner provided by the law of the State of Ohio for the release and satisfaction of mortgages on real property, or until the lien is discharged by the final judgment or order of any court having jurisdiction.

- (e) Subordination of Lien. The lien of the Assessments provided for herein shall be subject and subordinate to the lien of any duly executed first mortgage on a Lot recorded prior to the date on which such lien of the Association is perfected by recording a certificate of lien, and any holder of such first mortgage which comes into possession of a Lot pursuant to the remedies provided in the mortgage, foreclosure of the mortgage, or deed or assignment in lieu of foreclosure, and any purchaser at a foreclosure sale, shall take the property free of any claims for unpaid Assessments against the mortgaged Lot which became due and payable prior, in the case of foreclosure, to the date of the sale, and, in all other cases, to the date legal title vested in the successor Owner.
- (f) Contested Lien. Any Owner or Owners who believe that an Assessment chargeable to that Owner or Owner's Lot, and for which a certificate of lien has been filed by the Association has been improperly charged against that Lot or Unit, may bring an action in the Court of Common Pleas in the county where the Subject Property is located for the discharge of that lien and/or for a declaratory judgment that such Assessment was unlawful. The filing of such action shall not be grounds for an offset or to withhold payment. In any such action, if it is finally determined that all or a portion of the Assessment has been improperly charged to that Lot, the Court shall make such order as is just, which may provide for a discharge of record of all or a portion of that lien and a refund of an Assessment or portion thereof determined to be unlawful.
- (g) Estoppel Certificate. The Board shall, within a reasonable time following receipt of a written demand and for a reasonable charge, furnish a certificate signed by the President or other designated representative of the Association, setting forth whether the Assessments on a specified Lot have been paid. This certificate shall be conclusive evidence of payment of any Assessment therein stated to have been paid.
- (h) Suspension of Vote and Use of Common Elements. If any Assessment remains unpaid for thirty (30) days after it becomes due, then the delinquent Owner's voting rights upon Association matters and privileges to use the Common Elements, shall be suspended until such Assessment is paid. In any case, suspension of any such rights shall be subject to the right of an Owner, Occupant, or their licensees or invitees, to necessary ingress and egress to and from that Owner's Lot.

6. MAINTENANCE.

6.1. Maintenance by Association.

Subject only to budgetary limitations and the right of the Board to exercise reasonable business judgment, the Association shall maintain and keep the Common Elements in good,

clean, attractive, and sanitary condition, order and repair. This maintenance shall include, without limitation, maintenance, repair, and replacement of all Improvements situated upon the Common Elements, including but not limited to the Reserves, any open spaces, signage, entranceways, community border areas, the maintenance, repair and replacement of any Additional Easement Areas (except as provided for in 6.5 below), and the maintenance, repair and replacement of all personal property used in connection with the operation of the Association.

6.2. Maintenance by Owner.

Each Owner or Occupant shall repair, replace, and maintain in good order and condition, at that Person's expense, all portions of Improvements on and equipment and components located upon that Owner's Lot. This maintenance responsibility includes, without limitation, promptly furnishing all necessary materials and performing or causing to be performed at that Owner's expense all maintenance, repairs and replacements of Improvements on such Lot. No Lot or other Improvement shall be permitted to become overgrown, unsightly or fall into disrepair. Each Owner shall maintain that Owner's Lot in accordance with the Rules and the requirements set forth by the Association as provided for herein.

6.3. Right of Association to Repair Lot.

In the event any Owner fails to maintain that Owner's Lot in the manner required herein, and that Lot remains in disrepair for a period of thirty (30) days after notification by Developer or the Association to said Owner, and if the Board or Developer determines that any maintenance of that Lot or Improvements thereon is necessary to ensure public safety, to permit reasonable use or enjoyment of the Common Elements by Owners, to prevent damage to or destruction of any other part of the Common Elements, to preserve the value of the Community, or to comply with the Rules or the terms of this Declaration, then the Board or Developer may authorize its employees or agents to enter the Lot at any reasonable time to complete the necessary maintenance, and the Board may levy an Individual Lot Assessment for all reasonable expenses incurred or, if performed by Developer, those expenses shall be reimbursed by the Owner to Developer.

6.4. Damage to Common Elements By Owner or Occupant.

In the event the need for maintenance or repair of any part of any Common Element is caused by the negligent or intentional act of any Lot Owner or Occupant, or that Person's licensees or invitees, or in the event any Common Element is damaged by any Owner or Occupant, or that Person's licensees, or invitees, then the Board may maintain, repair, and/or replace the same and the cost thereof shall constitute an Individual Lot Assessment against such Lot and its Owner. The determination that such maintenance, repair or replacement is necessary and/or has been caused so caused, shall be made by the Board in its sole discretion. The Association shall be entitled to enter a Lot to repair or maintain any Common Elements adjacent to such Lot.

6.5. Additional Easement Areas.

The Additional Easement Areas shown on Exhibit B attached hereto shall be maintained as follows: [*to be determined as necessary*].

7. ARCHITECTURAL STANDARDS.

All property at any time subject to the provisions hereof shall be governed and controlled by the following:

7.1. Architectural Review Committee.

The Architectural Review Committee shall be a committee consisting of three (3) persons. Until the Turnover Date, Developer shall have the sole and exclusive right to appoint and remove all three (3) members of the Architectural Review Committee, at will. After that date, the Board shall have the right to appoint all three (3) members to the Architectural Review Committee. The Architectural Review Committee shall have the exclusive authority, by action of two (2) or more of the members thereof, at a private or public meeting, to determine the architectural standards which shall govern the construction of Improvements on a Lot. Each Owner covenants and agrees by acceptance of a deed to a Lot, to comply with, and to cause that Owner's Lot and any Occupant thereof to comply with the standards adopted by the Architectural Review Committee. No Improvement shall be placed, erected or installed on a Lot, and no construction (which term shall include in its definition staking, clearing, excavation, grading and other site work) shall be commenced or continued until and unless the Owner first obtains the written approval thereof by the Architectural Review Committee and otherwise complies with any zoning and building regulations and all provisions hereof.

7.2. Modifications.

Except as otherwise provided herein, the Architectural Review Committee shall have jurisdiction over all construction, modifications, additions or alterations of Improvements on or to a Lot. No person shall construct any Improvement on any Lot, including without limitation, alter surfaces of existing Improvements, change paint colors or roofing materials, construct or modify fencing, install any permanent recreational device, swing-set, playground, basketball hoop, or other similar Improvement, change the grade or contour of any Lot, change the material of any driveway, modify the exterior lighting, change the mailbox or address marker, construct any porch, deck, patio, gazebo, or pool, modify any landscaping, install any signs or satellite dishes not otherwise permitted herein or by federal law, without the prior written consent of the Architectural Review Committee. Owners shall submit plans and specifications showing the nature, kind, shape, color, size, materials and location of Improvements and alterations to the Architectural Review Committee for its approval. Nothing contained herein shall be construed to limit the right of an Owner to remodel or decorate interior Improvements without such approval.

7.3. Variances.

To avoid unnecessary hardship and/or to overcome practical difficulties in the application of the provisions of these provisions, the Architectural Review Committee shall have the authority to grant reasonable variances from the provisions hereof, provided that the activity or condition is not prohibited by applicable law, including but not limited to city zoning or county building regulations; and provided further that, in the judgment of the Architectural Review Committee, the variance is in the best interests of the community and is within the spirit of the standards of the Architectural Review Committee. No variance granted pursuant hereto shall constitute a waiver of any provision hereof as applied to any other person or any other part of the Community.

7.4. Improvements by Developer.

Notwithstanding the foregoing to the contrary, all Improvements and landscaping constructed by the Developer, its agents, or its successors and/or assigns shall be deemed to comply in all respects with this Declaration and the requirements of the Architectural Review Committee, and the Developer, its successors and assigns, shall have the exclusive right to approve the initial construction of a residence upon any Lot even following the Turnover Date.

7.5. Liability Relating to Approvals.

Neither Developer, the Association, the Board, the Architectural Review Committee, nor any member thereof, nor any of their respective heirs, personal representatives, successors and assigns, shall be liable to anyone submitting plans and specifications for approval by reason of mistakes of judgment, negligence, or nonfeasance arising out of, or in connection with the approval or disapproval or failure to approve the same. Every Person and Lot Owner who submits plans and/or specifications or otherwise requests approval from the Architectural Review Committee agrees, by submission thereof, that they will not bring any action or suit, seek damages, or otherwise attempt to compel the approval of the same. Each Lot Owner shall be responsible for ensuring that any Improvements constructed on their Lot comply with any zoning ordinances and any easements, covenants and conditions of record.

8. USE RESTRICTIONS.

The following restrictions and covenants concerning the use of each Lot and occupancy of Improvements thereon shall run with the land and be binding upon the Developer and every Owner or Occupant, their respective heirs, successors and assigns, as well as their family members, guests, licensees and invitees:

8.1. Use of Lots.

Except as otherwise specifically provided in this Declaration, no dwelling on a Lot, nor any portion of any Lot, shall be used for any purpose other than that of a residence for individuals living together as a single housekeeping unit, and uses customarily incidental thereto. Specifically, no dwelling may be used as a rooming house, group home, commercial foster home, fraternity or sorority house, or any similar type of lodging, care or treatment facility. In

addition, no building shall be erected, altered, placed, or permitted to remain on any Lot other than one single-family dwelling not to exceed two and one-half stories in height, and each such dwelling shall have an attached two car garage. No bi-level homes shall be permitted. As used herein, "bi-level home" shall mean a home having two levels with an integral garage on the lower level. No home shall be constructed on any Lot having a garage with a lower elevation than the street elevation such that the garage and/or driveway are depressed below the finished grade of the Lot. No structure of a temporary character, such as a trailer, tent, shack, vehicle port, barn, pet dwelling including pet fenced in pet areas behind houses, or other outbuilding shall be used on any Lot at any time as a residence either temporarily or permanently; provided, however, that nothing herein shall prevent the use of trailers or temporary buildings by Developer or builders approved by Developer, for sales and construction management and related uses during the construction and sale of homes in the Community or home remodeling after initial construction. All homes shall comply with material standards as approved under the applicable zoning text and/or by the City for this Community and by the Architectural Review Committee.

8.2. Minimum Square Footages.

No dwelling shall be permitted on any Lot on which the floor area of the main structure is less than what is required by the applicable zoning and subdivision control requirements governing Lots located in the Community.

8.3. Use of Common Elements.

The Common Elements may be used only in accordance with the purposes for which intended and for any reasonable purposes incidental to the residential use of Lots. All uses of the Common Elements shall benefit or promote the health, safety, welfare, convenience, comfort, recreation, and/or enjoyment of the Owners and/or Occupants, and shall comply with the provisions of this Declaration and all other Governing Documents, and the laws of the State.

8.4. Hazardous Actions or Materials.

Nothing shall be done or kept in or on any Lot or in or on any portion of the Common Elements that is unlawful or hazardous, that might reasonably be expected to increase the cost of casualty or public liability insurance covering the Common Elements, or that might or that does unreasonably disturb the quiet occupancy of any Person residing on any other Lot. These provisions shall not be construed so as to prohibit Developer or any other builder in the Community from construction activities consistent with reasonable or customary residential construction practices.

8.5. Signs.

No signs of any character shall be erected, posted or displayed upon property in the Community, except: (i) marketing signs installed by Developer while marketing Lots and residences for sale; (ii) street and identification signs installed by the Association, Developer, or any governmental agency; (iii) on the Common Elements, signs regarding and regulating the use of the Common Elements, provided they are approved by the Board; (iv) on any Lot, one

temporary real estate sign not to exceed six (6) square feet in area advertising that such Lot is for sale; and (v) except to the extent preempted by federal law, up to three (3) temporary political signs of not more than six (6) square feet each, expressing support for or opposition to an individual candidate or issue which is the subject of a current election, provided the same comply with any local ordinances and any Rules established by the Board. No signs shall be placed in the Common Elements.

8.6. Animals.

Except as hereinafter provided, no animals, reptiles, livestock or poultry of any kind shall be raised, bred or kept on any Lot, or in or upon any part of the Common Elements. Notwithstanding the foregoing, household domestic pets, not bred or maintained for commercial purposes, may be maintained in a dwelling on a Lot, provided that: (i) the maintaining of animals shall be subject to such rules and regulations as the Board may from time to time promulgate, including, without limitation, the right to place limitations on the size, number and type of such pets, and the right to levy administrative and enforcement charges against persons who do not clean up after their pets; and (ii) the right of an Owner or Occupant to maintain an animal in a dwelling on a Lot shall be subject to termination if the Board, in its full and complete discretion, determines that maintenance of the animal constitutes a nuisance, creates a detrimental effect on the Community or other Lots or Occupants, or possession of which violates any law, rule or ordinance promulgated by a governmental or quasi-governmental entity. Any animal defined as "vicious" or "dangerous" pursuant to the provisions of Ohio Revised Code Chapter 955, as the same may be amended from time to time, is specifically prohibited. Outdoor doghouses, animal cages or runs are prohibited without the express prior approval of the Architectural Review Committee.

8.7. Nuisances.

No noxious or offensive trade or activity shall be permitted on any property in the Community or within any dwelling located on any Lot. No soil shall be removed for any commercial purpose.

8.8. Business.

No industry, business, trade, occupation or profession of any kind may be conducted, operated or established on any Lot, without the prior written approval of the Board. Notwithstanding the foregoing, (i) a "home office" use is permitted, provided such use does not entail any non-resident employees, generate any traffic or additional parking, require any signage, and is operated in compliance with all laws including any Rules established by the Board and applicable City regulations; (ii) an Owner or Occupant may maintain a personal or professional library, keep personal business or professional records or accounts, conduct personal business, make professional telephone calls or correspond in or from a residence; and (iii) during the construction and initial sales period, Lots, including dwellings and Improvements constructed thereon, and Common Elements may be used for construction and sales purposes, including the construction and operation of sales models and/or trailers by Developer and by builders and developers as approved by Developer, in its sole discretion, until dwellings have

been constructed on all Lots and all Lots with dwellings on them have been conveyed to bona fide residential home purchasers.

8.9. Storage.

No storage buildings, barns or sheds of any kind are permitted on any Lot. This section shall not apply to any storage as may be necessary during the construction or remodeling of homes on the Lots.

8.10. Hotel/Transient Uses.

No Lot or Improvement thereon may be used for hotel or transient uses, including without limitation, uses in which an Occupant is provided customary hotel services such as room service for food and beverage, maid service, furnishing laundry and linen, or similar services, or leases to roomers or boarders.

8.11. Vehicles.

The Board is granted the power and the authority to create and enforce reasonable Rules concerning placement and the parking of any vehicle permitted on or in the Community. In addition to its authority to levy Individual Lot Assessments as administrative charges for the violation of the Rules, the Board shall be authorized to cause the removal of any vehicle violating this Declaration or such Rules.

Except as specified below, no trucks, no prohibited commercial vehicles, no boats, no trailers, no campers and no mobile homes shall be parked or stored on any street or on any Lot in the Community (except in the attached garage) for any time period longer than forty-eight (48) hours in any thirty (30) day period, provided, however, that nothing contained herein shall prohibit the reasonable use of such vehicles as may be necessary during construction of residences on the Lots.

For the purpose of this section, the terms "truck" and "prohibited commercial vehicle" shall include all vehicles that have a length of more than 21 feet and all vehicles that include any visible exterior storage of tools or materials; provided, however, that up to two (2) ladders may be visible. Dump trucks, tow trucks, flat bed car hauling trucks, panel trucks and vans larger than one-ton capacity, pickup trucks larger than one ton capacity, and semi type tractors and trailers, shall in every instance be considered to be to be a prohibited truck and/or a prohibited commercial vehicle. For the purpose of this section, the word "trailer" shall include landscaping trailer, open bed trailer, trailer coach, house trailer, mobile home, automobile trailer, camp car, camper or any other vehicle, whether or not self-propelled, constructed or existing in such a manner as would permit use and occupancy thereof, or for storage or the conveyance of personal property, whether resting on wheels, jacks, tires or other foundation.

Furthermore, no automobile, truck, or other motor-driven vehicle, or trailer, in a condition where it is unlicensed, unregistered, apparently inoperable, extensively damaged, disabled, dismantled, or otherwise not in a condition to be lawfully operated upon the public highway, or any vehicle component or part, shall be placed, parked or stored in any visible

location on or in front of a Lot or residence for a period of time longer than thirty (30) days. After this time the vehicle, trailer or part shall be deemed to be a nuisance, and shall be removed.

8.12. Trash.

Except for the reasonably necessary activities of Developer during the original development of the Community, no burning or storage of trash of any kind shall be permitted in the Community. All trash shall be deposited in covered, sanitary containers, and these containers shall at all times be screened from view from any other Lot or street, except when temporarily placed outside for trash collection. No emptied trash containers shall be allowed to remain visible for more than eight hours following the trash pick-up.

8.13. Antennae.

No outside television or radio aerial or antenna, or other aerial or antenna, including satellite receiving dishes, for reception or transmission, shall be maintained on a Lot, to the extent permissible under applicable statutes and regulations, including those administered by the Federal Communications Commission, except that this restriction shall not apply to satellite dishes with a diameter less than one (1) meter, erected or installed to minimize visibility from the street which the dwelling fronts. Notwithstanding the foregoing, roof-mounted satellite dishes are to be limited to the maximum extent possible by law.

8.14. Utility Lines.

All new utility lines in the Community shall be underground, subject only to the exceptions required by governmental authorities having jurisdiction, utility companies, Developer, and the Board.

8.15. Tanks.

No tanks for the storage of propane gas, fuel oil or any other combustible substance shall be permitted to be located above or beneath the ground of any Lot except that propane gas grills are permitted. This section shall not apply during the construction of any homes on the Lots or to any Lot containing Developer's sales trailer.

8.16. Street Tree.

Developer may designate one or more trees as deemed necessary by Developer along the street in front of each Lot at a ratio of 1 tree per 50' on center as a "street tree". If Developer determines to designate street tree(s) then each Lot Owner agrees to care for, and, if necessary, replace such tree or trees at the Owner's expense with a like type of tree having a caliper greater than or equal to 2".

8.17. Central Mailbox Units.

The USPS has required Central Mailbox Units (CBUs) be used for postal delivery to the homes in the Community. The Developer, with approval from the USPS and the City, will

designate locations for the installation of such CBUs. Such CBUs, and any appurtenant facilities, including but not limited to concrete pads, lighting facilities, covered shelters or other related items shall be Common Elements which are maintained by the Association.

8.18. Yard Lights and Lamp Posts.

All yard lights and lamp posts, if any, shall conform to the standards set forth by the approved Regulation Text in Zoning Plan. If a yard light or lamp post is damaged, destroyed or deteriorates, then each Owner, at such Owner's expense, shall repair or replace such yard light and/or lamp post with an identical yard light or lamppost, or if unavailable, with another of a like kind, design, pattern and color as the initial yard light and/or initial lamp post.

8.19. Fencing.

No perimeter fencing shall be allowed on any Lot. Fencing may be permitted for privacy around decks, patios, hot tubs, etc., and shall not exceed 42 inches in height, but may be required to include landscaping screening where utilized by the Architectural Review Committee. No chain link and no wire fencing shall be permitted. Fence posts may be no higher than 6 inches above the top rail, with the exception of fencing around swimming pool which shall be a minimum of 54 inches in height. Fences shall be at least 50% open. Pool fencing may be aluminum or wrought iron and must comply with applicable City and County Codes. The Developer may install fencing as part of entry feature improvements and landscape buffering and/or screening along adjacent properties, which shall be maintained by the Association.

8.20. Swimming Pools/Hot Tubs.

No above-ground swimming pool extending twelve (12) inches or more above the finished grade of the Lot shall be permitted upon any Lot except that this restriction shall not prohibit the installation of a hot tub that is properly screened. In the event that an in-ground swimming pool is permitted to be installed on a Lot and applicable governmental safety regulations require a fence, then such fence shall be permitted notwithstanding any provision of Section 8.19 to the contrary, provided such fence shall be subject to prior written approval of the Architectural Review Committee as to design and location on the Lot.

8.21. Compliance with Zoning.

Certain provisions of this Declaration may have been included herein as a result of governmental requirements established through the zoning and development plan approval processes in the State, County, and/or City in which the Subject Property is located. Compliance with all such governmental requirements, for so long as such requirements are effective and binding, and as such requirements may be amended or modified, is required by this Declaration.

8.22. Miscellaneous.

The following Improvements shall not be permitted on any Lot in the Community:

- (a) outdoor clothes lines;

- (b) window air conditioning units on any window facing a street;
- (c) wind turbines or similar wind-powered energy generating equipment;

9. EASEMENTS AND LICENSES.

9.1. Easement of Access and Enjoyment Over Common Elements.

Every Owner shall have a right and easement (in common with all other Owners) of enjoyment in, over, and upon the Common Elements, which rights shall be appurtenant to, and shall pass with the title to, that Person's Lot, subject to the terms and limitations set forth herein, and subject to the Rules. An Owner may delegate that Person's rights of access and enjoyment to Occupants, licensees and invitees.

9.2. Right of Entry for Repair.

The duly authorized agents, officers, contractors, and employees of the Association shall have a right of entry and access to the property subject hereto, including without limitation the Lots, for the purpose of exercising the Association's rights, or performing the Association's obligations as set forth herein. The Association may enter any Lot to remove or correct any violation of any provision hereof, or any Rule, or to maintain, repair, and replace the Common Elements and/or Additional Easement Areas, but only during reasonable hours and after providing reasonable advance notice to the Owner, except in cases of an emergency.

9.3. Easement for Utilities and Other Purposes.

The Board or Developer may convey easements over the Common Elements to any entity for the purpose of constructing, installing, maintaining, and operating poles, pipes, conduit, wires, ducts, cables, and other equipment necessary to furnish electrical, gas, sewer, water, telephone, cable television, and other similar utility or security services, whether of public or private nature, to the Community and to any entity for such other purposes as the Board or Developer deems appropriate; provided that such equipment or the exercise of such easement rights shall not unreasonably interfere with any Owners' use and enjoyment of that Owner's Lot. The Board or Developer may grant such easements over all portions of the Community for the benefit of adjacent properties as the Board or Developer deems appropriate; provided that the grant of such easements imposes no undue, unreasonable, or material burden or cost upon any property in the Community, and further provided that the Board or Developer may not convey any easement over a Lot without the prior written consent of the Owner of such Lot (which consent shall not be unreasonably withheld, delayed or conditioned).

9.4. Easement for Services.

A non-exclusive easement is hereby granted to all police, firemen, ambulance operators, mail carriers, delivery persons, cable and television repair personnel, garbage removal personnel,

and all similar persons, and to the local governmental authorities and the Association (but not to the public in general) to enter upon the Common Elements and the Lots to perform their duties.

9.5. General.

Unless specifically limited herein otherwise, the easements described herein shall run with the land and pass with the title to the benefited and burdened properties, shall be appurtenant to the properties benefited and burdened thereby, shall be enforceable by the owners of the properties benefited thereby, and shall be perpetual. The easements and grants provided herein shall in no way affect any other recorded grant or easement. Failure to refer specifically to any or all of the easements and/or rights described in this Declaration in any deed of conveyance or in any mortgage or other evidence of obligation shall not defeat or fail to reserve said rights or easements but the same shall be deemed conveyed or encumbered, as the case may be, along with the Lot.

10. UTILITY SERVICES.

Each Lot Owner by acceptance of a deed to a Lot agrees to pay for utility services separately metered or separately charged by the utility company to that Lot, and to reimburse the Association for that Owner's Lot's share of any utility cost that the Board, or its designee, reasonably determines is attributable to use by the occupants of that Owner's Lot. The Association shall arrange for the provision of utility services, if any, to the Common Elements and shall pay the costs of such services separately metered to the Association.

11. MISCELLANEOUS.

11.1. Term.

The provisions hereof shall bind and run with the land for a term of thirty (30) years from and after the date that this Declaration is filed for recording with the Recorder of Union County, Ohio and thereafter shall automatically renew forever for successive periods of ten (10) years each, unless earlier terminated with the consent of Members exercising not less than seventy-five percent (75%) of the voting power of all Members.

11.2. Enforcement.

The provisions hereof may be enforced by any proceeding at law or in equity by Developer, any Owner, the Association, the Architectural Review Committee, and each of their respective heirs, successors and assigns, against any Person(s) violating, or attempting to violate, any covenant, restriction, or Rule to restrain and/or to enjoin any violation, to obtain a decree for specific performance as to removal of any nonconforming Improvement, and to recover all damages, costs of enforcement and any other costs incurred (including without limitation reasonable attorneys' fees) in connection with any violation. The failure or forbearance to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of these rights.

11.3. Amendments.

Until the Turnover Date, Developer may, in its sole and absolute discretion, unilaterally amend the provisions hereof at any time and from time to time, without the consent of any other Owners. Any such amendment may impose covenants, conditions, restrictions and easements in addition to those set forth herein including, without limitation, restrictions on use and covenants to pay additional charges with respect to the maintenance and improvement of any property in the Community. After the Turnover Date, Developer may unilaterally amend the provisions hereof, without the consent of any other Owners, if such amendment is: (a) necessary to bring any provision hereof into compliance with any applicable governmental statute, rule, regulation or judicial order; (b) necessary to enable any reputable title insurance company to issue title insurance coverage on the Lots; (c) necessary to conform to the requirements of the United States Federal Housing Administration or the Veterans Administration, or (d) necessary to correct errors; provided, however, any such amendment shall not materially adversely affect the title to any Lot unless the Owner or Owners have thereof consented to such amendment in writing. No amendment may remove, revoke, or modify any right or privilege of Developer without the written consent of Developer or the assignee of such right or privilege. Developer shall have the right and power, but neither the duty nor the obligation, in its sole and absolute discretion and by its sole act, to subject all or any part of the Additional Property to the provisions hereof at any time and from time to time by executing and recording in the appropriate governmental office an amendment to this Declaration specifying that such Additional Property is part of the Community. An amendment hereby made by Developer shall not require the joinder or signature of the Association, other Owners, mortgagees, or any other person. In addition, such amendments to this Declaration may contain such supplementary, additional, different, new, varied, revised or amended provisions and memberships as may be necessary or appropriate, as determined by Developer, to reflect and address the different character or intended development of any such Additional Property.

In addition, this Declaration may be amended or modified after the Turnover Date with the approval of Owners holding not less than seventy-five percent (75%) of the voting power of all Owners in the Association; provided, however, that the consent of Developer shall be required for any amendment or modification which affects Developer's rights hereunder, and further provided that the consent of all Owners shall be required for any amendment which effects a change in the voting power of any Owner, the method of allocating Common Expenses among Owners, or the fundamental purpose for which the Association is organized. Any amendment to this Declaration adopted with the aforesaid consent shall be executed with the same formalities as to execution as observed in this Declaration by the president and the secretary of the Association, and shall contain their certifications that the amendment was duly adopted in accordance with the requirements of this paragraph. Any amendment so adopted and executed shall be effective upon the filing of the same with the County Recorder of the County in which the Community is located.

11.4. Developer's Rights to Complete Development.

Developer shall have the unrestricted right to: (a) complete the development, construction, promotion, marketing, sale, resale and leasing of properties; (b) construct or alter Improvements on any property owned by Developer; (c) construct, maintain and operate model

homes, offices for construction, sales or leasing purposes, storage areas, construction yards or similar facilities on any property owned by Developer or the Association; or (d) post signs incidental to the development, construction, promotion, marketing, sale and leasing of property within the Community, in compliance with City regulations. Further, Developer shall have the right of ingress and egress through the streets, paths and walkways located in the Community for any purpose whatsoever, including, but not limited to, purposes related to the construction, maintenance and operation of Improvements. Nothing contained herein shall limit the rights of Developer or require Developer to obtain approval to: (i) excavate, cut, fill or grade any property owned by Developer; (ii) construct, alter, remodel, demolish, replace, or use any Improvements on any Common Elements or any property owned by Developer as a construction office, model home or real estate sales or leasing office in connection with the sale of any property or Lot; or (iii) require Developer to seek or obtain the approval of the Association or the Architectural Review Committee for any activity or Improvement on any Common Elements or any property owned by Developer. Nothing in this Section shall limit or impair the reserved rights of Developer as elsewhere provided in this Declaration.

11.5. Mortgagee Rights.

A holder or insurer of a first mortgage upon any Lot, upon written request to the Association (which request shall state the name and address of such holder or insurer and a description of the Lot) shall be entitled to timely written notice of:

- (a) Any proposed amendment of this Declaration;
- (b) Any proposed termination of the Association; and
- (c) Any default under the provisions hereof which gives rise to a cause of action by the Association against the Owner of the Lot subject to the mortgage of such holder or insurer, where the default has not been cured in sixty (60) days following the date a notice describing a default is sent to an Owner.

Each holder and insurer of a first mortgage on any Lot shall be entitled, upon written request and at such mortgagee's expense, to inspect the books and records of the Association during normal business hours.

11.6. Indemnification.

The Association shall indemnify, defend and hold every Officer, Director, and agent of the Association harmless against any and all claims, liabilities, and expenses, including attorneys' fees, reasonably incurred by or imposed upon any Officer, Director, or agent in connection with any action, suit, or other proceeding (including settlement of any suit or proceeding, if approved by the Board) to which he/she may be a party by reason of being or having been an Officer, Director, or agent. The Officers, Directors, and agents of the Association shall not be liable for any mistake of judgment, negligent or otherwise, except for their own individual willful misconduct, bad faith or gross negligence. The Officers, Directors, and agents of the Association shall have no personal liability with respect to any contract or other commitment made by them, in good faith, on behalf of the Association, and the Association shall

indemnify and forever hold each such Officer, Director, and agent free from and harmless against any and all liability to others on account of any such contract or commitment. Any right to indemnification provided herein shall not be exclusive of any other rights to which any Officer, Director, or agent, or former Officer, Director, or agent may be entitled by law or the provisions of any other Governing Document.

11.7. Mutuality.

All restrictions, conditions and covenants contained herein are made for the direct, mutual, and reciprocal benefit of Developer, the Association, and the present and future Owners of Lots in the Community, and each part thereof, and their respective personal representatives, heirs, successors, and assigns; the provisions hereof shall create mutual equitable servitudes upon the property submitted to these restrictions and each part thereof in favor of each other part thereof; and any property referred to herein as benefited hereby; the provisions hereof shall create reciprocal rights and obligations between the respective Owners of all such property and privity of contract and estate between all Owners thereof; and the provisions hereof shall, as to the Owner of any such property and those Owners respective heirs, personal representatives, successors and assigns, operate as covenants running with the land for the benefit of all such property and the Owners thereof.

11.8. Severability.

If any article, section, paragraph, sentence, clause or word herein is held by a court of competent jurisdiction to be in conflict with any law, or unenforceable, then the requirements of such law shall prevail and the conflicting provision or language shall be deemed void in such circumstance; provided that the remaining provisions or language of this Declaration shall continue in full force and effect.

11.9. Enforcement; Waiver.

Failure of Developer, the Association or any Owner to enforce any provision of this Declaration or the Rules in any manner shall not constitute a waiver of any right to enforce any violation of such provision. By accepting a deed to a Lot, each Owner is deemed to waive the defenses of laches and statute of limitations in connection with the enforcement by the Association of the provisions hereof or the Rules.

11.10. Notices.

Notices, demands or other communications to an Owner shall be given in writing by personal delivery, or posting at the Lot if a residence has been constructed on such Lot, or by depositing such notice in the United States Mail, first class, postage prepaid, to the address of the Owner of the Lot as shown by the records of the Association, or as otherwise designated in writing by the Owner. Any demand, notice or other communication or action given or taken hereunder or by one of the joint Owners of a Lot shall be deemed to be given, taken, or received by all such joint Owners.

11.11. Exhibits.

The Exhibits hereto are a part of this Declaration as if set forth in full herein.

11.12. Construction.

In interpreting words and phrases herein, unless the context shall otherwise provide or require, the singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders. Any rule of construction to the effect that any ambiguities are to be resolved against the party who drafted the document shall not be utilized in interpreting this Declaration and the Exhibits hereto.

11.13. Captions.

The caption of each article, section and paragraph of this Declaration is inserted only for convenience and does not define, limit or describe the scope or intent of its provisions.

11.14. Additional Disclosures.

[to be determined as necessary]

IN TESTIMONY WHEREOF, Developer has caused the execution of this Declaration on the date first set forth above.

DEVELOPER, INC.,
an Ohio corporation

By: _____/DRAFT/

STATE OF OHIO :
COUNTY OF UNION :

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by

_____,
_____ of DEVELOPER, Inc., an Ohio corporation, on
behalf of that corporation.

Notary Public

B. Sample Homeowners Association Documents

**DECLARATION OF COVENANTS
EASEMENTS, RESTRICTIONS AND ASSESSMENTS AND ASSESSMENT LIENS**

FOR

JOLAN

Submitted for Zoning purposes only, March 20, 2025

EXHIBIT A
SUBJECT PROPERTY

EXHIBIT B

ADDITIONAL EASEMENT AREAS

CODE OF REGULATIONS
(BYLAWS)
OF
JOLAN HOMEOWNERS' ASSOCIATION, INC.

ARTICLE I

NAME AND PURPOSE.

Section 1.01. The name of this Ohio nonprofit corporation shall be JOLAN Homeowners' Association, Inc. (the "Association").

Section 1.02. The purposes for which the corporation is formed are set forth in the Articles of Incorporation for JOLAN Homeowners' Association, Inc., filed with the Ohio Secretary of State and include being and acting as an association of the owners of residential Lots in a development known as and referred to herein as "Pioneer Crossing" or as the "Subdivision." The Association shall also serve as the "owners association" as that term is defined in Chapter 5312 of the Ohio Revised Code (the "Planned Community Act").

ARTICLE II

MEMBERS AND VOTING.

Section 2.01. Every individual or entity who is a record owner of a fee or undivided fee simple interest in a Lot that has been subjected to the provisions of the Declaration of Covenants, Easements, Restrictions, Assessments, and Assessment Liens for JOLAN to which this document is attached, and any amendments thereto (hereinafter the "Declaration"), except, in the case of a recorded land installment sales contract, the vendee or vendees and not the owner or owners of a fee simple interest, from and after the time that the same has been developed and platted and whose property has been subjected to the Declaration or other restrictions (whether by plat, deed restriction, declaration of restriction, or amendments thereto) which require such owners to be and become members of the Association, shall be a "Member" of the Association. "Owner," as used herein, as well as in the Declaration, means and includes the record owner of a fee simple interest in a Lot subject to the provisions of the Declaration, except the owner of the fee simple interest in a Lot subject to a recorded land installment contract, in which case the vendee is referred to herein as the "Owner." The membership of each Owner shall terminate when the Owner ceases

to own an undivided fee simple interest or interests or vendee interest in a Lot, and upon the sale, transfer or other disposition of each undivided fee simple interest or vendee interest in a Lot, the membership in the Association which is appurtenant to that interest shall automatically be transferred to the new Owner(s) of the interest. No Member may otherwise terminate membership in the Association or sever that membership interest.

Section 2.02. Except as provided herein, on any question for which the vote of Members is permitted or required, the Owner or Owners of each Lot in the Subdivision shall be entitled to exercise one vote for each such Lot that the Owner or Owners own. If two or more persons or entities own undivided interests in a Lot as fiduciaries, tenants in common or otherwise, such persons or entities shall only be entitled to one vote with respect to the Lot, which vote shall be exercised, if at all, as a single Lot and not by percentage of interest.

Notwithstanding anything herein to the contrary, Pulte Homes of Ohio LLC, a Michigan limited liability company, the Declarant under the Declaration (hereinafter, together with its successors and assigns, the "Declarant"), or its successor or its designee, shall be entitled to exercise one hundred percent (100%) of the total voting power of the Members of the Association on each matter properly submitted to the Members for their vote, consent, waiver, release or action until such time as the Declarant elects to relinquish the voting right, which relinquishment shall take place no later than the time the Subdivision has been developed to its fullest extent and all Lots have been deeded to bona fide purchasers unrelated to Declarant (the "Turnover Date"). At such time as Declarant elects to relinquish the voting right, each Lot shall be entitled to one vote on each matter properly submitted to the Members for their vote, consent, waiver, release or other action. In addition to the indemnification provided herein, Declarant, including Directors appointed by and employed by the Declarant, shall have no liability and shall be indemnified and held harmless by the Association for events occurring after the relinquishment of voting control. Assessments shall be paid by each Member when due without regard to the right of a Member to vote.

Section 2.03. Fiduciaries and minors who are Owners of record of a Lot or Lots may vote their respective interests as Members. If two or more persons or entities own undivided interests in a Lot as fiduciaries, tenants in common or otherwise, such persons or entities shall be entitled to one vote with respect to a Lot, which vote shall be exercised, if at all, as a single Lot and not by percentages of interest. If more than one of such Owners attends a meeting, acts in voting by mail or executing consents, a majority of those voting may act for the Owners of the Lot. If only one such person or entity attends a meeting, votes or executes a consent, then that person or entity may act for all.

Section 2.04. An entity which is a Member of the Association may exercise its right to vote by any officer, director, principal, member of a limited liability company, partner, trustee or employee and any such person shall conclusively be deemed to have authority to vote and to execute any proxies and written waivers and consents relative thereto, unless, before a vote is taken

or a consent or waiver is acted upon, it shall be made to appear by a certified copy of the regulations or bylaws or of a resolution adopted by the entity that such authority does not exist or is vested in some other officer or person.

Section 2.05. At meetings of the Members or otherwise, any Member entitled to vote or take action may be represented and may vote or take action by a proxy or proxies appointed by an instrument in writing. Each such instrument shall be filed with the Secretary of the meeting before the person holding the proxy shall be allowed to vote under the proxy at the meeting or with the Secretary of the Association before the person holding the proxy may take action under the proxy without a meeting. No proxy shall be valid after the expiration of eleven months from its date of execution unless the Member executing it shall have specified therein the length of time that it is to continue in effect.

ARTICLE III

MEETINGS OF MEMBERS

Section 3.01. After the relinquishment of control of the Association by the Declarant, an annual meeting of the voting Members for the election of Directors, for the consideration of reports to be made at the meeting and for the transaction of such other business as may properly come before the meeting shall be held during the first quarter of each calendar year, on a date established by the Board of Directors of the Association (the "Board of Directors"), or on such other date within one month thereafter as may be designated by the Board of Directors from time to time. No annual meetings shall be required or held prior to the Declarant's relinquishment of control of the Association.

Section 3.02. Following the relinquishment of control of the Association by the Declarant, special meetings of the Members may be called by the President, by a majority of the Directors acting with or without a meeting, or following the relinquishment of control of the Association by the Declarant, by Members entitled to exercise not less than twenty-five percent (25%) of the total voting power of the Members. Upon delivery of a request in writing to the President or Secretary of the Association by persons entitled to call such a meeting, it shall be the duty of the President or Secretary to give notice to the Members in accordance with this Code of Regulations, but if such request is refused, then the Persons making the request may call a meeting by giving the notice.

Section 3.03. All meetings of Members shall be held at such places as may be specified by the Board of Directors or the Persons calling the meeting.

Section 3.04. A written or printed notice of every meeting of Members, whether annual or special, stating the time, place and purpose or purposes for which the meeting is called shall be given by, or at the direction of, the President or Secretary of the Association by personal delivery

or by mail not more than sixty (60) nor less than five (5) days before the meeting to each Member entitled to notice thereof. If mailed, such notice shall be addressed to the Member at the Member's address as it appears on the records of the Association. The Association shall have no obligation to perform research or investigations beyond its records to ascertain the identity or the address of any Member. If a meeting is adjourned to another time or place, no further notice of the adjourned meeting need be given if the time and place to which it is adjourned are fixed and announced at the meeting. In the event of a transfer of ownership of a Member's Lot after notice has been given and prior to the holding of the meeting, it shall not be necessary to serve notice on the transferee. The Board of Directors may set a record date for the determination of the Members who are entitled to receive notice of or to vote at any meeting of Members, which record date shall not be earlier than forty-five (45) days preceding the meeting. If no record date is fixed by the Directors, the record date for determining the Members who are entitled to receive notice of or who are entitled to vote at a meeting of Members shall be the business day next preceding the day on which notice is given or the meeting is held, as the case may be. In any case where a person or entity's right to vote is questioned or disputed, the person wishing to vote shall have the burden of proving his, her or its right to vote.

Section 3.05. Notice of the time, place and purpose or purposes of any meeting of Members may be waived in writing either before or after the holding of the meeting by any Member, which writing shall be filed with or entered upon the records of the meeting. The attendance of a Member at any meeting in person or by proxy without protesting the lack of proper notice to or at the commencement of the meeting shall be deemed to be a waiver by that Member of notice of the meeting.

Section 3.06. A quorum for any meeting of Members shall be that number of Members who are entitled to vote who are present in person or represented by proxy at a meeting, and except as hereinafter provided, all actions shall be taken up on the majority vote of all Members present, in person or by proxy, provided that no action required by law, the Declaration, the Articles of Incorporation, or this Code of Regulations that must be authorized or taken by those Members exercising not less than a designated percentage of the total voting power may be authorized or taken by a lesser percentage. Those Members entitled to vote who are present in person and represented by proxy at a meeting may adjourn the meeting from time to time. Any business may be transacted at the reconvened meeting as if the meeting had been held as originally called.

Section 3.07. The order of business of any meeting of Members shall be determined by the presiding officer, unless otherwise determined by a vote of those Members entitled to exercise not less than a majority of the voting power of the Members present in person or represented by proxy at the meeting.

Section 3.08. At all elections of Members of the Board of Directors the candidates receiving the greatest percentage of the votes cast for their respective positions shall be elected. All other questions shall be determined by the vote of those Members entitled to exercise not less

than a majority of the voting power of the Members present in person and represented by proxy at a meeting, unless for the particular purpose the vote of a greater percentage of this voting power of all Members is required by law, the Articles of Incorporation, this Code of Regulations, the Declaration or otherwise.

Section 3.09. Any action which may be authorized or taken at a meeting of Members may be authorized or taken without a meeting in a writing or writings signed by Members exercising not less than a majority of the voting power of all Members or such greater proportion thereof as the Articles of Incorporation, this Code of Regulations, the Declaration or any other provision of law may otherwise require. Said writing or writings shall be filed with or entered upon the records of the Association. Any transmission by authorized communications equipment (including e-mail) that contains an affirmative vote or approval of a Member is a signed writing for purposes of this section. The date on which that transmission by authorized communications equipment is sent is the date on which the writing is signed. Any vote that can be taken at a meeting of Members may also be taken by mail. In that event ballots shall be mailed to all persons and entities who are Members of the Association at the time of the mailing and approval shall be required from a majority of the voting power of all Members or from such greater (or lesser, in the case of electing members of the Board of Directors) proportion thereof as the Articles of Incorporation, this Code of Regulations, the Declaration or any provision of law may otherwise require. Adequate records of the manner and results of each vote conducted by mail shall be filed with or entered upon the records of the Association.

ARTICLE IV

BOARD OF DIRECTORS

Section 4.01. Subject to such limitations as have been or may hereafter be imposed by the Declaration, the Articles of Incorporation or this Code of Regulations, as any of the same may be lawfully amended from time to time, all power and authority of the Association shall be vested in and exercised by a Board of Directors consisting of three (3) persons. Said persons shall manage and conduct the business and affairs of the Association and exercise the powers and duties established by the Declaration, the Articles of Incorporation, this Code of Regulations and the Rules (collectively, the "Association Governing Documents") until they resign, or until their successors are elected and qualified. Except for members of the Board of Directors appointed by the Declarant, members of the Board of Directors must be Members of the Association. Before the relinquishment of control of the Association by the Declarant, the Declarant shall appoint all Directors, which shall consist of three individuals named in the Articles of Incorporation, or such replacements thereof as Declarant shall from time to time appoint in its sole and unfettered discretion.

Subsequent to the relinquishment of control of the Association by the Declarant, the Board of Directors shall consist of three individuals who shall each be Members of the Association.

Directors elected at the meeting of Members in which Declarant relinquishes control of the Association shall serve until the end of the next following annual meeting of Members. Beginning with the first annual meeting following the turnover of control, Directors elected thereafter shall serve one year terms, terminating at the end of the next annual meeting thereafter. Following the turnover of Declarant control, any Director may be removed by the affirmative vote of those Members entitled to exercise not less than seventy-five percent (75%) of the voting power of all Members of the Association. A vote to remove any Director shall be conducted at a special meeting of the Members called for that purpose.

Section 4.02. Candidates for election as Directors may be selected by a Nominating Committee formed in accordance with Section 5.06 of Article V of this Code of Regulations. Candidates may also be nominated from the floor of any meeting held for the purpose of electing a Director or Directors. The Nominating Committee may nominate as many candidates as it wishes, provided that if the Nominating Committee nominates a candidate, it shall nominate not less than the number of Directors to be elected.

Section 4.03. If any member of the Board of Directors, other than a member of the Board of Directors appointed by the Declarant, vacates membership on the Board of Directors as a result of death, resignation or any other act or reason, a replacement Director shall be appointed by the remaining Directors. If the remaining Directors cannot agree upon a person to fill the vacancy within thirty days after it is created, said remaining Directors shall call a special meeting of Members of the Association to fill the vacancy, such meeting to be held within sixty days after the vacancy is created. Any Director appointed or elected to fill a vacancy shall hold office for the unexpired term of the Director he or she succeeds and until his or her successor is elected and qualified, or until he or she resigns. If any member of the Board of Directors appointed by the Declarant vacates membership on the Board of Directors as a result of death, resignation or any other act or reason, a replacement Director shall be appointed by the Declarant.

Section 4.04. The Board of Directors shall hold such meetings from time to time as it deems necessary and such meetings may be called by the President of the Association from time to time, provided that the Board of Directors shall be required to meet at least once in each calendar quarter. Meetings shall be held at such place as the President or a majority of the Directors may determine, or by electronic or telephonic communication provided that each Director can hear or read in real time and participate and respond to every other Director.

Section 4.05. The President or Secretary shall cause electronic, telegraphic or written notice of the time and place of all meetings of the Board of Directors, both regular meetings and special meetings, to be duly served upon or sent to each Director not less than two (2) nor more than twenty (20) days before the meeting, except that a regular meeting of the Board of Directors may be held without notice immediately after the annual meeting of the Members of the Association at the same place as the annual meeting was held for the purpose of electing or appointing officers for the ensuing year and the transaction of such other business as may properly

come before said meeting. No notice of adjourned meetings need be given. Notice of the time and place of any meeting of the Board of Directors may be waived by any Director in writing either before or after the holding of the meeting, which writing shall be filed with or entered upon the records of the meeting. The attendance of any Director at any Board of Directors meeting without protesting the lack of proper notice prior to or at the commencement of the meeting shall be deemed to be a waiver by that person of notice of the meeting.

Section 4.06. At all meetings of the Board of Directors a majority of the members thereof shall constitute a quorum, but less than a quorum may adjourn a meeting from time to time, and at adjourned meetings any business may be transacted as if the meeting had been held as originally called. The act of a majority of the Directors present at any meeting at which there is a quorum shall be the act of the Board of Directors, except as otherwise required by law, the Declaration, the Articles of Incorporation or this Code of Regulations. No Member of the Association, other than a Director, may attend or participate in any discussion or deliberation of a meeting of the Board of Directors unless the Board of Directors expressly authorizes that Member to attend or participate.

Section 4.07. Members of the Board of Directors shall not receive any compensation for their services rendered to the Association as a Director. However, any Director may be reimbursed for actual expenses incurred in the performance of duties as a Director, if approved by the Board of Directors, and any Director may serve the Association in any other capacity and may receive compensation therefore, subject to the requirements and limitations of this Code of Regulations and the Articles of Incorporation.

Section 4.08. Any action which may be authorized or taken at a meeting of the Board of Directors may be authorized or taken without a meeting in a writing or writings signed by all of the Directors, which writing or writings shall be filed with or entered upon the records of the Association. . Any transmission by authorized communications equipment (including e-mail) that contains an affirmative vote or approval of a Member is a signed writing for purposes of this section. The date on which that transmission by authorized communications equipment is sent is the date on which the writing is signed.

Section 4.09. The Board of Directors may employ or engage the services of a Manager and such other persons, firms or corporations as it deems necessary or advisable in order to perform the duties imposed upon it, and may pay such compensation as it determines. The Board of Directors may delegate to any such Manager, person, firm or corporation such administrative and ministerial duties as it determines.

Section 4.10. The Board of Directors shall exercise all powers and have all authority, under law, and under the provisions of the Declaration, Articles of Incorporation, and this Code of Regulations, that are not specifically and exclusively reserved to the Members by law or by other provisions of the Declaration, Code of Regulations or Articles of Incorporation, and without

limiting the generality of the foregoing, the Board of Directors shall have the right, power and authority to:

- a) take all actions deemed necessary or desirable to comply with or to cause compliance with all requirements of law, and the Declaration, Code of Regulations and Articles of Incorporation;
- b) obtain insurance coverage and bonds the Directors consider appropriate or necessary; provided that insurance coverage and bonds required pursuant to the provisions of the Declaration and in amounts no less than that required pursuant to the provisions of the Declaration shall be obtained and maintained;
- c) enforce the covenants, conditions and restrictions set forth in the Declaration;
- d) subject to the provisions of the Declaration, repair, maintain and improve the Common Elements;
- e) establish, enforce, levy and collect Assessments, late fees, delinquent interest and such other charges as are provided for in the Declaration and adopt, publish, and enforce rules and regulations concerning the same;
- f) adopt and publish rules and regulations governing the use of the Common Elements and the personal conduct of Owners, Occupants and their guests thereon;
- g) suspend the voting rights of an Owner during any period in which such Owner shall be in default in the payment of any charge levied by the Association (such rights may also be suspended after notice and hearing, for a period not to exceed thirty days for each infraction of published rules and regulations or of any provisions of the Declaration);
- h) declare the office of a member of the Board of Directors to be vacant in the event such Director shall be absent from three consecutive regular meetings of the Board of Directors;
- i) subject to such approvals, if any, as may be required pursuant to the provisions of the Declaration, authorize the officers to enter into one or more agreements necessary or desirable to fulfill the purposes and objectives of the Association, including, without limitation, management agreements, purchase agreements and loan documents, all on such terms and conditions as the Board of Directors in its sole and absolute discretion may determine;

j) cause excess funds of the Association to be invested in such reasonable investments that meet standards for fiduciary investments under Ohio law as the Board of Directors may from time to time determine;

k) subject to the provisions of the Declaration, borrow funds, as needed, and pledge and assign such security and rights of the Association, including rights to levy and collect Association Assessments of every type or nature, or other future income, and to file liens therefore and enforce collection thereof, as might be necessary or desirable in the judgment of the Board of Directors, to obtain any such loan;

l) take such actions and expend the Association funds and Assessments as the Board of Directors deems appropriate, in its sole discretion, to satisfy the requirements of institutional mortgagees, and guarantors and insurers of first mortgage loans for the financing or refinancing of Lots a part of the Subdivision;

m) purchase and cause the Association to hold title to real property; and

n) do all things and take all actions permitted to be taken by the Association by law or the Declaration not specifically reserved thereby to others.

Section 4.11. It shall be the duty of the Board of Directors to:

a) cause to be kept a complete record of all its acts and corporate affairs, including correct and complete books and records of account that specify receipts and expenditures relating to Common Elements and other common receipts and expenses, records showing the allocation, distribution, and collection of common profits, losses, and expenses among and from Owners, minutes of meetings of the Members and meetings of the Board of Directors, and records of the names and addresses of Owners;

b) present the latest available financial statement of the Association to the Owners at each annual meeting of Owners, or at any special meeting when requested in writing by Owners representing not less than a majority of the voting power of Owners;

c) supervise all officers, agents and employees of the Association and see that their duties are properly performed;

d) cause an annual budget to be prepared, and amendments thereto as needed;

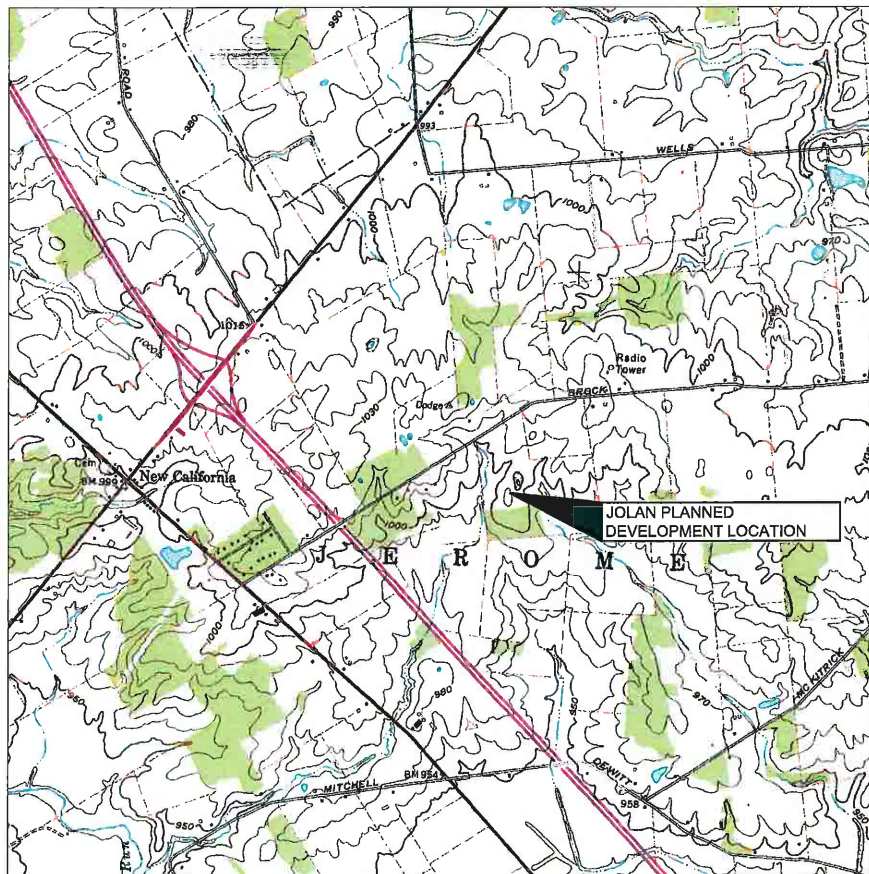
JOLAN PLANNED DEVELOPMENT

JEROME TOWNSHIP

9317 BROCK ROAD

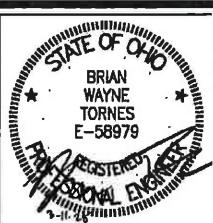
PLAIN CITY, OHIO

MARCH 2025



VICINITY MAP
SCALE: 1" = 2000'

Sheet List Table	
Sheet Number	Sheet Title
01	TITLE SHEET
02	VICINITY MAP
03	EXISTING SITE PLAN
04	PROPOSED SITE PLAN
05	PROPOSED UTILITY PLAN
06	PROPOSED LANDSCAPE PLAN



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215



JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

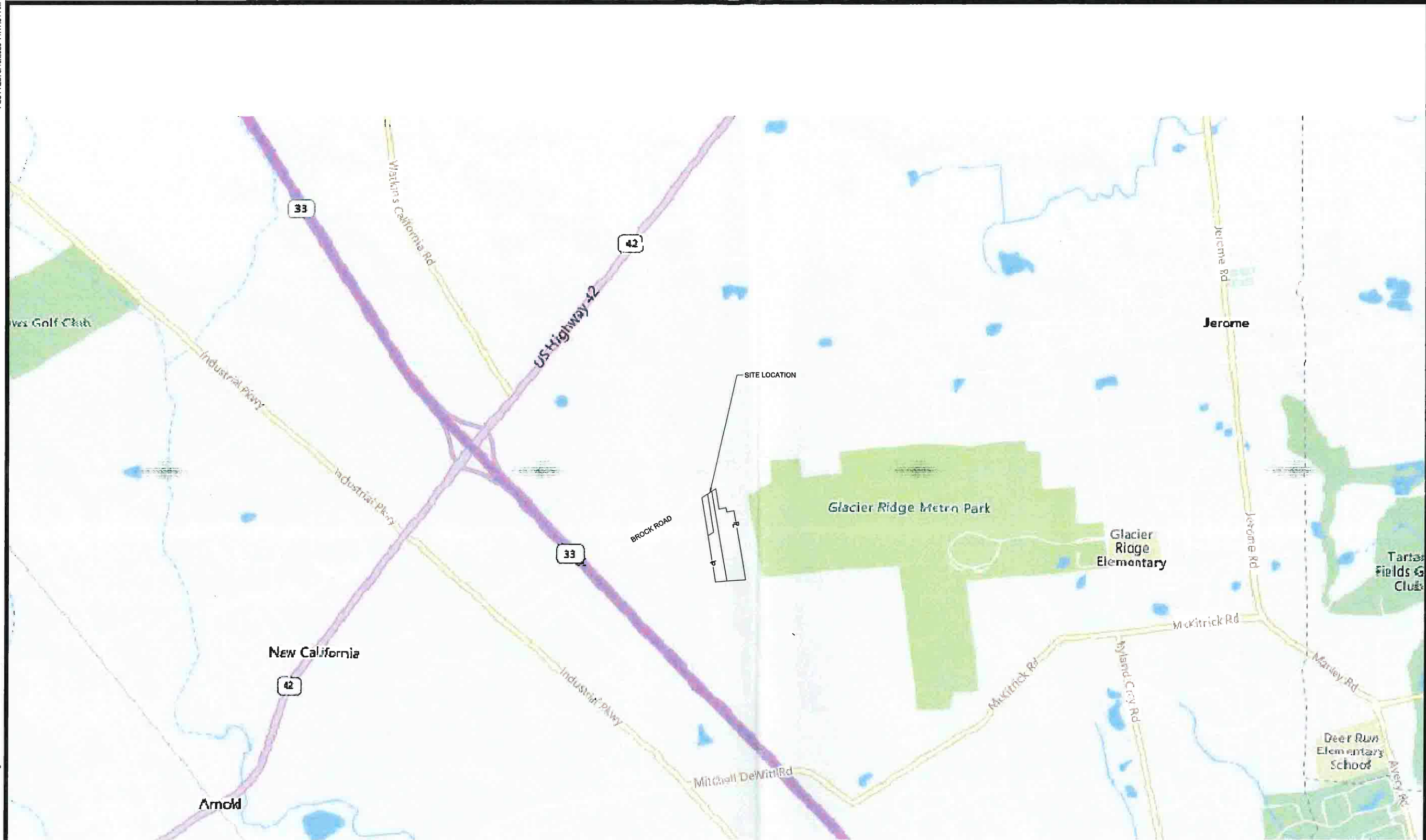
NO.	DESCRIPTION	REVISIONS	DATE

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NONE

TITLE SHEET

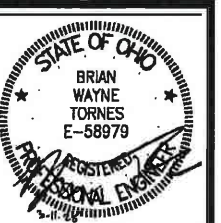
01

SHEET: 01 OF 07



VICINITY MAP

SCALE: 0 1000' 2000'



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215



JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION	DATE

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NOTED

VICINITY MAP

02

SHEET: 02 OF 07



GENERAL NOTES:

VERTICAL CONTROL. ELEVATIONS SHOWN ARE BASED ON PUBLICLY AVAILABLE LIDAR FROM OHIO GEOGRAPHICALLY REFERENCED INFORMATION PROGRAM. ELEVATION ARE NORTH AMERICAN VERTICAL DATUM OF 1988.

HORIZONTAL CONTROL. HORIZONTAL CONTROL IS BASED ON OHIO STATE PLANE COORDINATE SYSTEM (NORTH ZONE) AND THE LOCATION OF EXISTING STRUCTURES.

EXISTING UTILITIES AND STRUCTURES. THE LOCATION OF UTILITIES AND STRUCTURES SHOWN ON THE PLANS IS FROM GIS DATA OBTAINED FROM THE COUNTY. THE LOCATION, SUPPORT, PROTECTION, AND RESTORATION OF ALL UTILITIES, SERVICES, STRUCTURES, & APPURTENANCES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

UTILITY COMPANY NOTIFICATION. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST 2 WORKING DAYS PRIOR TO WORK IN THE VICINITY OF THEIR UNDERGROUND AND/OR OVERHEAD LINES. CONTACT OHIO UTILITIES PROTECTION SERVICE, 1-800-362-2764. NONMEMBER UTILITIES MUST BE CONTACTED.

EXISTING SITE PLAN

SCALE: 0 100' 200'



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

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JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION	DATE
	REVISIONS	

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NOTED

EXISTING SITE PLAN

03

SHEET: 03 OF 07



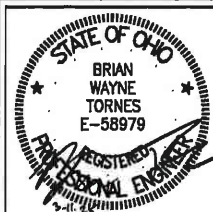
PROPOSED SITE DEVELOPMENT PLAN

SCALE: 0 100' 200'



SITE DATA:

GROSS ACREAGE:	23.36 ACRES	AVERAGE NEW LOT SIZE:	0.27 ACRES
SUBAREA A:	14.88	MINIMUM LOT SIZE:	0.17 ACRES
SUBAREA B:	8.48	TOTAL OPEN GREEN SPACE:	9.35 ACRES (40%)
ROW GIVE:	0.25 ACRES		
NET ACREAGE:	22.87 ACRES	NET DENSITY:	1.97 DU/ACRE
TOTAL LOTS:	46		
SUBAREA A:	21		
SUBAREA B:	25		
NEW LOTS:	44		
EXISTING HOME LOTS:	2		



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

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JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION	DATE

JOB NO:	PR61302
DATE:	MARCH 2025
DESIGNED BY:	MLB
DRAWN BY:	MLB
CHECKED BY:	BWT
APPROVED BY:	BWT
SCALE:	NOTED

PROPOSED SITE PLAN

04

SHEET: 04 OF 07



PROPOSED SUBAREA PLAN

SCALE: 0 100' 200'



SITE DATA:

GROSS ACREAGE: 23.36 ACRES
SUBAREA A: 14.88
SUBAREA B: 8.48
ROW GIVE: 0.25 ACRES
NET ACREAGE: 22.87 ACRES

AVERAGE NEW LOT SIZE: 0.27 ACRES
MINIMUM LOT SIZE: 0.17 ACRES
TOTAL OPEN GREEN SPACE: 9.35 ACRES (40%)

NET DENSITY: 1.97 DU/ACRE

TOTAL LOTS: 46
SUBAREA A: 21
SUBAREA B: 25

NEW LOTS: 44
EXISTING HOME LOTS: 2



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215



JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION	REVISIONS	DATE

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NOTED

PROPOSED SUBAREA
PLAN

05

SHEET: 05 OF 07



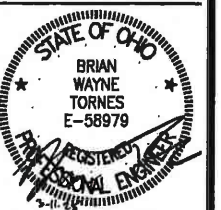
PROPOSED UTILITY PLAN

SCALE: 0 100' 200'



SYMBOLS:

- ⊕ FIRE HYDRANT
- ⊙ SANITARY MANHOLE



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215

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JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION	REVISIONS	DATE

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NOTED

PROPOSED UTILITY PLAN

06

SHEET: 06 OF 07



PROPOSED LANDSCAPE PLAN

SCALE: 0 100' 200'



LANDSCAPE BUFFER



STREET TREES

NOTE: STREET TREES SHALL BE SMALL-SIZED NATIVE TREES LESS THAN 35 FEET IN HEIGHT. TREE SPACING SHALL BE A MAXIMUM OF 100 FEET O.C. TREE SPECIES SHALL BE DETERMINED UPON FINAL DETAILED DESIGN.



330 RUSH ALLEY
SUITE 700
COLUMBUS, OH 43215



JOLAN PLANNED DEVELOPMENT
JEROME TOWNSHIP
9317 BROCK ROAD
PLAIN CITY, OHIO
MARCH 2025

NO.	DESCRIPTION REVISIONS	DATE

JOB NO: PR61302
DATE: MARCH 2025
DESIGNED BY: MLB
DRAWN BY: MLB
CHECKED BY: BWT
APPROVED BY: BWT
SCALE: NOTED

PROPOSED LANDSCAPE
PLAN

07

SHEET: 07 OF 07

Chapter 425 – Rural Residential District (RU)**425.001 Rural Residential District Generally**

The purpose and intent of the Rural Residential District (RU) is to preserve rural character and provide for land which is suitable or used for very low density residences as defined in the Comprehensive Plan. On-site water and sewer facilities are permitted, provided such facilities comply with all applicable regulations of the County Health Department. This District supersedes the U-1 Rural District in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020)

425.01 Permitted Uses

Within the RU District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. One (1) single-family dwelling per lot.
2. Limited home occupation subject to requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital.
5. The use of land for conservation, preservation, or wetland restoration. (Amnd. 12-6-2022, 9-5-2023)

425.02 Accessory Uses and Structures

Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses and swimming pools subject to the requirements of Chapter 645 of this Resolution.

425.03 Conditional Uses

The following uses may be permitted as conditional uses in the RU District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. 721191 – Bed-and-Breakfast Inns
2. Telecommunications towers subject to the requirements of Chapter 655 of this Resolution
3. Expanded home occupations subject to the requirements of Chapter 635 of this Resolution.
4. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution.
5. Small wind projects (less than 5 mw) subject to the requirements of Chapter 650 of this Resolution.
6. Veterinary Hospitals and Clinic
7. Kennel/Animal Boarding (Amnd. 10-20-2020, 12-6-2022)

425.04 Lot Area, Lot Width, and Yard Setback Standards

The following lot area and yard setback standards shall apply to all lots in the RU District:

1. Minimum Lot Area

The minimum lot area for lots in the RU District shall be 1.5 acres. When a lot is proposed to be served by on-site water and sewer systems, the minimum lot area may be such larger area as may be required by the County Health Department. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the RU District and this Resolution. (Amnd. 8-17-2015, 10-20-2020, 6-15-2021, 9-5-2023)

2. Minimum Lot Width

Lots in the RU District shall have a minimum width of 150 feet. (Amnd. 8-17-2015, 10-20-2020)

3. Lot Depth-to-Width Ratio

Any lot in the RU District shall have a depth-to-width ratio as provided for in Section 600.08. (Amnd. 8-17-2015, 10-20-2020, 9-5-2023)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be measured from the right-of-way line. Such setbacks for the RU District shall be as follows:

- a) **Type 'A'** – The setback for farm markets shall be a minimum of 15 feet as determined by Chapter 605 of this Resolution. (Amnd. 6-15-2021)
- b) **Type 'B'** – The setback for single-family dwellings shall be a minimum of 50 feet.
- c) **Type 'C'** – The setback for all other buildings or structures supporting a permitted, conditional, or accessory use of the lot shall be 75 feet. (Amnd. 10-20-2020, 6-15-2021)

5. Side Yard Setbacks

The minimum side yard setback for principal buildings and structures shall be twenty (20) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

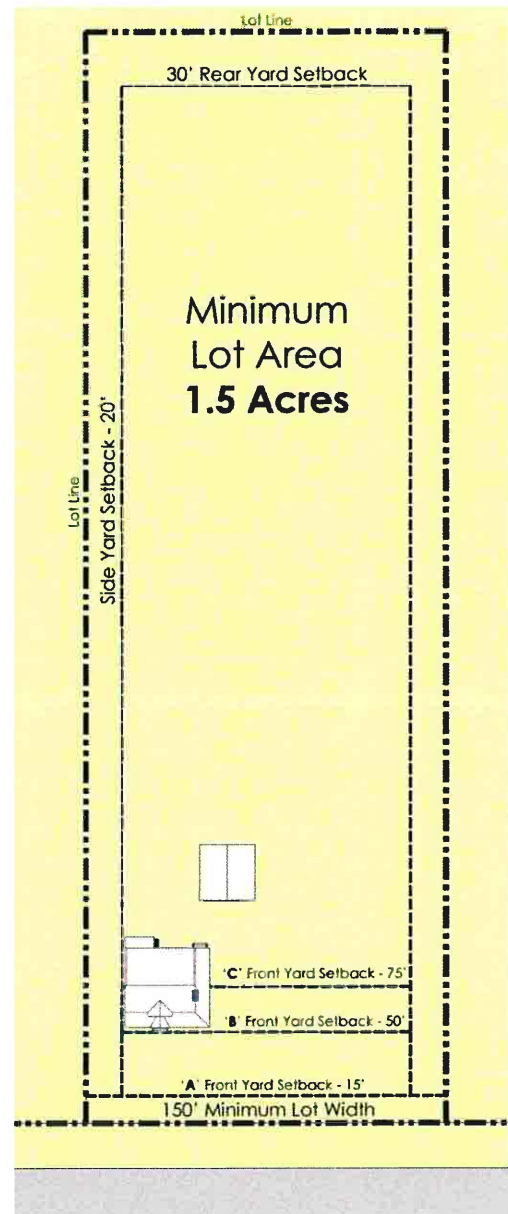


Figure 425.01: Lot area and setback diagram for the RU District

6. Rear Yard Setbacks

The minimum rear yard setback for principal buildings and structures shall be thirty (30) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

7. Architectural Projections

Regulations for architectural projections and similar regulations shall be as provided for in Chapter 600 of this Resolution. (Amnd. 6-15-2021)

425.05 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the RU District:

1. Minimum and Maximum Floor Area

- a) Residential Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – Single-family dwellings in the RU District shall provide a minimum of 1,200 square feet of floor area for a single-story dwelling and a minimum of 1,600 square feet of floor area for a split-level or multi-story dwelling. (Amnd. 10-20-2020, 12-21-2021)

2. Maximum Building Height

The maximum height of buildings and structures shall be measured as defined in Chapter 300 of this Resolution and shall meet the requirements listed below:

- a) Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – The maximum building height for single-family dwellings in the RU District shall be 35 feet.
- c) All Other Permitted Uses and Approved Conditional Uses – The maximum building height for all other permitted uses and approved conditional uses shall be 35 feet.

Chapter 500 – Planned Development District (PD)**500.001 Planned Development District (PD) Generally**

The Planned Development District (PD) is established under the provisions of Ohio Revised Code 519.021(B) to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in planning and building of all types of development in accordance with the Comprehensive Plan. The regulations set forth herein are based on the premise that the ultimate quality of a built environment or development proposal is determined not only by the general classification of land uses, but also by the specific way in which such land uses are executed. In many cases, the subdivision regulations and standard zoning district classifications do not adequately regulate the design of buildings, the mix of uses, and the general character of development that are desirable in the Township. In accordance with the Comprehensive Plan and the above statements it is the intent of the Planned Development District to promote development that:

1. Provides an opportunity for a mix of open space and other uses not otherwise permitted within the standard zoning district classifications; and
2. Allows the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protects the community's natural resources by avoiding development on, and destruction of, sensitive environmental areas; and
3. Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development; and
4. Assures compatibility between proposed land uses within and around the PD through appropriate development controls; and
5. Enhances the economy of the Township by making available a variety of employment opportunities and providers of goods and services; and
6. Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet are imaginative in architectural design and are consistent with applicable plans for the area and are compatible with adjacent and nearby land uses. (Amnd. 10-20-2020)

500.01 Residential Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to residential development are applicable:

1. A clustered neighborhood design is encouraged with a gross density which is in keeping with the Comprehensive Plan and the physical development potential of the area.
2. The utilization of conservation design principles and preservation of a substantial amount of permanent open space is encouraged, integrated into the development and providing for a pedestrian friendly environment.
3. In larger developments, a variety of different lot areas and architectural styles are encouraged to create an integrated and imaginative residential environment.
4. Master planning is encouraged that focuses on a much broader scale than a single development site, taking into account the larger physical context within which the proposed development is to occur.
5. In areas identified on the comprehensive plan as "Higher Density Residential" it may be appropriate to consider single family or multi-family development at densities higher than those appropriate in other areas of the Township and where the Planned Development District will allow more creative site planning to accommodate these densities and provide

appropriate transitions between adjacent higher intensity uses and lower intensity uses.
(Amnd. 10-20-2020, 12-6-2022)

500.02 Commercial and Office Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to commercial and office development are applicable:

1. Commercial and office development shall be properly managed and the development standards of the PD District clearly specified so that Township officials completely understand the design and impact of a development proposal.
2. A flexible and creative approach to commercial development is encouraged. This flexibility is intended to minimize potential negative impacts and conflicts with rural agriculture and residential development.
3. A pedestrian friendly environment is encouraged, interconnecting with adjacent neighborhoods.
4. Master planning is encouraged that focuses on a much broader scale than a single development site, taking into account the larger physical context within which the proposed development is to occur. (Amnd. 12-6-2022)

500.03 Industrial Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to industrial development are applicable:

1. The clustering of industrial uses is encouraged, along with flexibility and creativity in site design, in order to ensure that development is sensitive to and compatible with the Township's rural environment.
2. Industrial development shall be properly managed and the development standards of the PD District clearly specified so that Township officials completely understand the design and impact of a development proposal.
3. Master planning of an extended area is encouraged, which ensures a stable, unified industrial development having all necessary services and facilities.
4. A unified design is encouraged which allows for greater design flexibility and better integration into the Township's rural environment. This flexibility is intended to minimize potential negative impacts and conflicts with rural agriculture and residential development. (Amnd. 12-6-2022)

500.04 General Provisions

1. Preliminary Development Plan and Detailed Development Plan

For purposes of this Chapter, plans including all supporting documentation adopted by the Township at the time of amendment of the Official Zoning Map to Planned Development District shall be referred to as the "preliminary development plan," and plans including all supporting documentation approved subsequent to such amendment but prior to the initiation of any development activities are referred to as the "detailed development plan."

2. Effect of PD District Approval

Each PD District is considered a separate and unique zoning district wherein a preliminary development plan, including associated regulation text describing the allowable uses and specific development standards, is adopted simultaneously with the application requesting amendment of the Official Zoning Map to apply the PD District designation. The preliminary development plan, as approved by the Township and as provided under Ohio Revised Code

Section 519.021(B), shall constitute the zoning regulations for and shall apply only to the property included within that particular PD District. Whenever there is a conflict or difference between the provisions of this Chapter and those of other provisions of this Zoning Resolution, the provisions of this Chapter shall prevail for the development of land within the PD District. Subjects not expressly covered by this Chapter or the applicable preliminary development plan shall be governed by the respective provisions found elsewhere in this Zoning Resolution that are most similar to the proposed use.

3. Subareas

Depending upon the size and complexity of the proposed development, different subareas may be established within a PD District. Each subarea may, if requested, be treated as a separate district with individual standards. However, only one preliminary development plan approval shall be issued for the entire development. For each subarea, the applicant shall indicate gross density, dwelling type, minimum development standards, and all other uses by type, size and location, and such information shall be reflected within the conceptual site plan, regulation text, or other appropriate documents contained in the preliminary development plan.

4. Type of Action

The action of the Board of Township Trustees approving an amendment of the Official Zoning Map to Planned Development District pursuant to this Chapter and Chapter 230 of the Zoning Resolution shall be considered a legislative act, and subject to a referendum. After property has been rezoned to the PD District, any action related to the subsequent use or development of such property, as being in compliance with the regulations authorized to be established by this Chapter including any action taken on a detailed development plan, shall not be considered to be an amendment to the Zoning Resolution for the purpose of Section 519.12 of the Ohio Revised Code, but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.

5. Zoning Amendment

A change to an adopted preliminary development plan shall be considered to be a zoning amendment and shall be processed and reviewed according to the procedures set forth in Section 519.12 of the Ohio Revised Code and Chapter 230 of this Zoning Resolution. Whenever a preliminary development plan contains multiple subareas, an application for zoning amendment may be filed applicable to one or more subareas provided that the requested change will have no effect on the remaining subareas.

6. Detailed Development Plan

An application for approval of a detailed development plan shall be required to be submitted to the Township for approval prior to the initiation of construction and development in each phase or subarea of a PD District. Such detailed development plan shall be in substantial compliance with and consistent with the approved preliminary development plan for that PD District or any subarea thereof with respect to land uses, densities, architectural and landscape standards, and open space. Minor deviations from the approved preliminary development may be considered for approval during the detailed development plan review process by the Zoning Commission without requiring an applicant file for an amendment to the preliminary development plan as noted on Subsection 5 above. Deviations that may be considered minor, but do not limit the Commission's discretion in such matters, include:

- a) Adjustments to the layout or alignment of new roads or to the site layout that does not affect number of buildable lots, density, setbacks, or open space and does not increase access points to existing public roadways unless required by the County Engineer.

- b) Increases in residential lot areas or reductions in residential density provided such changes do not reduce the required setbacks, decrease the required open space, or change the required architectural or development standards.

500.05 Previously Approved Planned Developments

Chapter 500 of the Zoning Resolution was amended on and the amendment in effect from and after April 20, 2015. Previously approved Planned Developments and all associated preliminary development plans, detailed development plans and supporting documentation adopted and in effect prior to April 20, 2015 shall continue in effect and be considered legally conforming under this Zoning Resolution. These previously approved Planned Development Districts shall continue to be governed pursuant to the regulations contained within any previously approved zoning plans, preliminary development plans, detailed development plans, and supporting documents. The regulations contained within any previously approved zoning plans, preliminary development plans, detailed development plans, and supporting documents may be modified in accordance with this Chapter, as amended. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

500.06 General Standards for Planned Developments

In order to achieve the purpose and intent of the Planned Development District and the Comprehensive Plan, the following general standards are hereby established for all Planned Developments within the Township.

1. Uses

Within the Planned Development District a creative mix of uses is encouraged provided it will establish an efficient and sustainable use of the land and infrastructure, and result in a well-integrated, pedestrian friendly development. Single use PD's may also be established by the applicant to encourage development that is more responsive to the land and environment than may be permitted through a standard zoning district. The following standards are established for uses in the PD District:

- a) Permitted Uses – Permitted uses within each PD District shall be clearly identified in the regulation text contained in the preliminary development plan submitted with the application for amendment the Official Zoning Map to Planned Development District. Any use not specified as a permitted or conditional use in the approved preliminary development plan shall be prohibited.

2. Densities

Densities within a PD District should be in conformance with the recommendations of the Comprehensive Plan and shall promote the efficient use of land and infrastructure. Proposed densities shall be clearly identified in the preliminary development plan submitted with the application for amendment of the Official Zoning Map to Planned Development District.

3. Setbacks and Yard Areas

All proposed required setbacks and yard areas within a PD District shall be identified in the preliminary development plan submitted with the application for amendment of the Official Zoning Map to Planned Development District. Setbacks and yard areas within PD developments shall be established to meet the following requirements:

- a) Setbacks within a PD District shall support the goals of the Comprehensive Plan for development that respects the rural character of the Township while promoting efficient use of the land and its resources.
- b) Setbacks shall be configured to appropriately balance open space and provide safe

separation between buildings and uses.

- c) When a commercial or industrial use is proposed to be located adjacent to residential uses, perimeter setbacks and/or appropriate screening from the adjacent tract should be established within the PD District.
- d) To maintain the rural character of the Township, the setbacks from existing public roads should be larger than those established for new public roads established within the PD District.
- e) To the greatest extent possible new residential developments should be designed to minimize the number of homes where the rear lot lines or rear of the proposed dwellings front to existing and proposed roads. Where such conditions are to exist along existing public roads a minimum setback of 50' between the right-of-way of the public road and the rear lot lines, and a minimum of 80' between the right-of-way of the public road and the rear yard setback line of the lot. An increased landscape buffer shall be established for the entire length of road affected.

4. Public Improvements

A PD District should be developed at a minimum with the following improvements meeting the design standards of the County Engineer:

- a) Public roads shall be designed and constructed to the standards established by the County Engineer's Office.
- b) Means for safe pedestrian and bicycle access and circulation shall be provided. Pedestrian paths should be integrated into open space where applicable or allowed, with ownership and maintenance dedicated to the entity holding title to the open space.
- c) Storm water management facilities shall be provided as required by the County Engineer and State of Ohio.

5. Access

The preliminary development plan should require direct access, not through easement, to one or more dedicated and improved public roads. Provisions for future connections to other public roads or adjacent land shall be required if recommended by the Township, County Engineer or Regional Planning Commission.

6. Buildings

To promote the purpose and intent of the Planned Development District and the goals of the Comprehensive Plan, all applications for amendment of the Official Zoning Map to PD District shall detail the proposed design and development standards for all residential and non-residential buildings within the PD District. The following standards apply to all residential and non-residential buildings within a PD District.

- a) The physical relationship of buildings and other site improvements to one another and the surrounding area, as created by building mass, floor area, height, shape, location on the site, and setback, shall result in a harmonious development both within the PD District and in relation to its surroundings.
- b) The bulk and height of buildings within the proposed development shall be compatible with the surrounding area.
- c) Buildings, structures, and parking areas shall be designed and located in such a way to conserve environmentally sensitive or unique natural, historic or cultural features.
- d) The preliminary development plan shall specify for all buildings and residences, at a minimum, the proposed exterior materials, floor area, height, roof shape and pitch.

7. Lighting

If applicable, a preliminary development plan shall include the type and description of all proposed street and parking lot lighting. Street lighting shall conform to the standards of the Union County Engineer and all lighting within the proposed PD District shall conform to the following:

- a) The lighting plan contained within the preliminary development plan shall specify the proposed pole and luminary design, maximum height, lighting source, wattage, shielding and any other information necessary to evaluate the lighting as proposed.
- b) The lighting plan be designed to promote an overall cohesiveness in the development of the plan and to minimize the amount of light pollution affecting the neighboring properties and the rural character of the township.
- c) Where no other regulations are provided within a preliminary development plan, the provisions of Chapter 630 of this Resolution shall govern exterior lighting.

8. Signage

All preliminary development plans shall include a signage plan and or standards for all uses and subareas within the PD District. Signage design and standards shall ensure a constant and comprehensive character throughout the project and compatible with the character of the Township and shall meet the following:

- a) All signs and graphics within the PD District shall be compatible in size, location, material, height, shape, color, and illumination.
- b) A detailed sign plan and standards shall be including within a preliminary development plan and shall include the design, layout and dimensions of all proposed ground, window and wall signs as well as the setbacks from the rights-of-way and the type and intensity of illumination.
- c) Signs shall contribute to an overall cohesive design, reflect simplicity, reduce visual clutter and compliment the rural character of the Township.
- d) Wall signs shall be controlled and designed in a manner to compliment the architecture of any proposed buildings. Ground signs shall be designed to relate to and share common elements with the proposed architecture.

9. Parking and Loading Areas

Parking and access requirements and standards shall be as defined in the preliminary development plan and shall meet the requirements of the Union County Engineer, the applicable fire regulations, and the following standards:

- a) Off-street parking and loading shall be provided for all non-residential buildings with adequate provisions for ingress and egress.
- b) Parking areas shall be designed to discourage large single expanses of parking and shall encourage smaller defined parking areas within the total parking system. Such parking areas shall be delineated and accentuated by landscaped areas.
- c) The layout of parking areas, service areas and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the PD District.
- d) To minimize the environmental impacts of large parking areas shared parking between uses shall be encouraged and supported within the PD District. Where shared parking is desired the applicant shall submit a statement identifying how the parking is to be shared between the uses, and the percentage of parking and hours of parking allocated for each use.

- e) All service and delivery and loading areas for all uses shall be arranged and located to minimize the impacts and view of such uses throughout the development.

10. Landscaping

All preliminary development plans shall include a detailed landscape plan and standards for all areas, sub-areas, open spaces and uses with the proposed development. The following standards shall apply:

- a) All yards and open space not covered by structure, paving and the like shall be landscaped with lawn as a minimum.
- b) All vacant and undeveloped areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage on adjacent land.
- c) Landscaping shall be designed to enhance architectural features, screen incompatible uses, emphasize pedestrian environments, provide shade for streets and parking lots and strengthen views and vistas.
- d) The landscape plan shall be designed to preserve and capitalize on the existing natural characteristics of the site and to promote overall unity in design.
- e) Landscape design and the specification and use of trees and plant materials shall discourage monoculture. For the purpose of this Section monoculture is defined as the dominance or overabundance of any one species that may expose the development to a substantial loss of plant material should said plant material be affected by pest or disease (ex. Emerald Ash Borer)
- f) Plant material specified in the landscape plan shall be indigenous and hearty to the area and shall be harmonious to the design and consistent with adjacent land uses.
- g) Street tree species native to the area shall be provided by the developer for all existing and proposed public streets and placed outside the public right-of-way in a maintenance easement. Size, shape, type and location of street trees shall be specified in the preliminary development plan.
- h) Landscape buffers between lots and the public road serving the PD District and buffers between lots and adjacent land should be placed in landscape easements or in dedicated open space areas.

11. Flood Plains and Environmentally Sensitive Areas

Floodplains within a PD District shall be protected from building or pavement encroachment through the following standards:

- a) A riparian buffer, having a width of not less than 50' as measured from the centerline of the stream, shall be provided along the entire length and on both sides of a river or perennial stream channel.
- b) Buffer areas shall be restricted from development and managed to promote the growth of vegetation indigenous to the stream area capable of maintaining the structural integrity of the stream bank.
- c) A wetlands buffer should be provided for all wetlands required to be retained by the Army Corps of Engineers or the Ohio EPA. The buffer area should have a width of not less than 25' measured from the edge of the designated wetland. The buffer areas should not be disturbed other than necessary to establish and natural landscape and existing trees should be preserved and protected to the extent practicable.

12. Open Space

A PD District should have an open space component which is compatible with the size, nature and design of the development. A recommended minimum of 20 percent of the gross land area of a PD District containing a residential component, except as outlined in Section 500.07(4), should be set aside as open space for common use, preferably interconnected with other similar spaces within this or adjacent developments. For a PD District without a residential component, a minimum of 10 percent open space set aside is recommended. Open space shall be prohibited from further subdivision or development by deed restriction, conservation easement or other agreement, in a form satisfactory to the Township. This restriction from further subdivision or development shall also be noted in the preliminary development plan and the recorded plat.

a) Design Standards – The following design standards for open space should be followed:

- (i) Open space shall be fully integrated into the overall design and should, absent unique and special circumstances, meet all standards and guidelines contained herein. The types of uses, buildings and structures proposed to be permitted in the open space shall be specified in the preliminary development plan.
- (ii) Within a PD District, public uses may be proposed for natural areas and preserves, parks and other active recreational areas, and public facilities such as public schools, libraries and community centers may likewise be proposed. Access to all public uses shall be specified.
- (iii) In identifying the location of open space, the developer shall consider as priorities existing natural features such as natural woodlands, wetlands, identified species habitat, tree lines, stream and creek corridors, and FEMA designated 100-year floodplains.
- (iv) Retention ponds (wet basins) may be permitted in an open space reserve provided such ponds are designed and maintained as natural features that blend into the landscape. A landscape design for each retention pond shall be submitted with the preliminary development plan. Detention ponds (dry basins) should ordinarily not be permitted in the designated open space unless a part of a bioswale corridor.
- (v) Except for bike paths and pedestrians trails, open space should be unified and massed so that no open space is narrower in any direction than the development's average lot width. Open space should be platted as an open space reserve, including appropriate conservation easements.
- (vi) Open space should, when practicable, be interconnected with open space areas on adjacent parcels.
- (vii) In order to encourage the creation of large areas of contiguous open space, areas that should not be considered as open space include:
 - 1. Private road and public road rights-of-way;
 - 2. Parking areas, access ways, and driveways;
 - 3. Required setbacks between buildings, parking areas, and project boundaries;
 - 4. Required setbacks between buildings and streets;
 - 5. Easements for overhead power transmission lines unless containing bike paths as part of an overall coordinated trail network;
 - 6. Minimum spacing between buildings, and between buildings and parking areas;
 - 7. Private yards;

8. Areas of fee simple lots to be conveyed for residential dwelling uses;
9. Other small fragmented or isolated open space areas that have a dimension less than 75 feet in any direction. (Excessive gaps and non-usable spaces between buildings are discouraged, or pedestrian walkways should be established.)
- (viii) Any open space intended to be devoted to active recreational activities should be of usable size and shape for the intended purposes.
- (ix) Any area within the open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state, other than required setback areas, should be noted on the preliminary development plan and the method and timing of any restoration shall be set forth.
- (x) The open space, including any recreational structures and public facilities proposed to be constructed in such space, shall be clearly shown on the preliminary development plan.
- b) **Open Space Ownership** – Open space may be proposed to be owned by an association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted. The ownership of the open space shall be specified in the preliminary development plan and shall be subject to the approval of the Township. The methods of ownership, if approved as part of the preliminary development plan, may be as follows:
 - (i) **Offer of Dedication** – The Board of Township Trustees or other governmental agency may, but shall not be required to, accept conveyance in the form of fee simple ownership of the open space.
 - (ii) **Associations** – Open space may be held by the individual members of a condominium association as tenants-in-common or may be held in common ownership by a homeowners' association, community association, or other similar legal entity. Documents shall be submitted with the preliminary development plan which will ensure compliance with the following requirements:
 - 1) Membership in the association shall be mandatory for all purchasers of lots in the development or units in the condominium.
 - 2) The association shall be capable of and responsible for maintenance, control, and insurance of common areas, including the open space.
 - 3) The association shall have the right and obligation to impose assessments upon its members, enforceable by liens, in order to ensure that it will have sufficient financial resources to provide for proper care and maintenance of the open space.
 - (iii) **Transfer of Easements to a Public Agency or Private Conservation Organization** – With the approval of the Board of Township Trustees, an owner may transfer interest in conservation easements to a public agency or private non-profit organization, among whose purposes it is to conserve open space or natural resources, provided that:
 - 1) The organization is acceptable to the Board of Township Trustees, and is public agency or a bona fide conservation organization that exists in perpetuity;
 - 2) The conveyance contains appropriate provisions for the interests to be conveyed to another acceptable public agency or organization, or to revert to an association as provided herein in the event that organization becomes unwilling or unable to continue carrying out its function; and

3) A maintenance agreement approved by the Board of Township Trustees is entered into by the developer and the organization.

- c) Open Space Management and Maintenance – The owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, and valid and enforceable collection methods. The owner shall be authorized, under appropriate restrictions and covenants, to place liens on the property of residents within the PD District or any subarea thereof, who fall delinquent in payment of such dues and assessments. In the event that the organization established to own, operate and maintain the open space shall at any time after the establishment of the PD District fail to maintain the open space in reasonable order and condition in accordance with the approved detailed development plans, such failure shall constitute a violation of this Zoning Resolution.
- d) Transfer of Title of Open Space – Title to any open space required within a PD District which is included within any recorded subdivision plat of any section of the land zoned PD District shall be transferred to the entity approved for ownership of the open space prior to the sale of more than 75% of the lots or units within that subdivision section. (Amnd. 10-20-2020, 12-6-2022)

500.07 Use-Specific Development Standards

In addition to the general development standards for Planned Development District provided for in this Chapter, the following use specific development standards are hereby established to further fulfill the purpose and intent of the PD District through the application of flexible land development techniques in the arrangement, design and construction of structures and their intended uses and the integration of open space within the development. These standards, as well as applicable plans for the area, are intended as general standards as circumstances dictate. The development standards filed and approved as part of the preliminary development plan shall establish the final requirements. The development policies include the following:

1. Low and Medium Density Residential Land Use

Future development of clustered subdivisions is anticipated to occur in those areas with central water and sewer systems shall be managed to protect the area's unique quality of life and semi-rural character. The density of these developments will be based upon several factors, including, without limitation, the availability of central water and sewer systems, the recommendations of the Comprehensive Plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. The following shall apply when calculating residential density within a PD District:

- a) Calculating Residential Density – While the densities of individual residential areas may vary within a large PD District, the calculation of density for the entire PD District shall be based upon the gross density proposed of total area devoted exclusively to residential use, including open space. Where open space is included within the calculation for residential density, such open space shall permanently remain as open space within the PD District unless specifically included in another duly approved zoning amendment in accordance with the provisions of this Resolution.
- b) Additional Density Considerations – Additional density for residential developments to be serviced by centralized water and sewer systems may be permitted in certain unique and special instances such as those where: the open space set-aside far exceeds the minimum recommended ; additional and substantial site amenities are

provided; the development incorporates rural design elements that help preserve and retain the rural character of the area into the overall design of the site and maintains compatibility with the surrounding or planned land uses; the design of the development preserves, protects and enhances the natural and historic resources located on the site; and storm water and other environmental impacts are minimized and mitigated and natural features are enhanced.

- c) Lower Density Considerations – In addition to the consideration for additional density as mentioned above, lower densities may be required for a residential development in certain unique and special instances such as those where: a large portion of the site is undevelopable due to its physical features such as existing bodies of water, steep slopes and similar characteristics, and where proposed residential development is not compatible with adjacent residential development patterns. (Amnd. 9-5-2023)

2. Higher Density Residential Land Use

Future development of higher density land uses is expected to occur in areas so designated in the Comprehensive Plan as being suitable for such uses. These areas provide an opportunity to serve differing housing needs within the community and establish an effective transition between more intense commercial and office land uses, and lower density residential uses. The density of these developments will be based upon several factors, including, without limitation, the availability of centralized water and s, the recommendations of the comprehensive plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. In addition, increases in density should be supported for increased architectural and landscape standards and creative site planning that contributes to the desirability of the community.

3. Agriculture and Rural Residential Land Use

It is anticipated that portions of the Township will remain principally agricultural in nature, especially in those areas where centralized utilities are not anticipated to be provided. Development standards within these areas should encourage a development pattern that minimizes impacts and intrusions to agriculture, such as clustering homes on new streets and not along existing road frontage and designating agricultural-exclusive areas.

4. Residential Conservation Development

Within the Comprehensive Plan there exists recommendations for residential development in certain areas that adheres to conservation development principles. These principles promote more compact development patterns in exchange for the preservation of important existing environmental and natural features and the set aside of significant amounts of open space. These types of developments reduce infrastructure costs for the developer, help to maintain a more open, rural feel for the Township, promote a more efficient use of land, and provide a mechanism to preserve important natural features and incorporate them into a development strategy. Land developed with conversation development principles shall adhere to the following standards:

- a) Uses – PD Districts designed using conservation development principles may be permitted to contain a mix of uses provided that all proposed uses are identified in the preliminary development plan and application as specified in Section 500.08.
- b) Density – The overall residential density of a PD District designed using conversation development principles should conform to the recommendations and intent of the Comprehensive Plan and shall be identified in the preliminary development plan and application per Section 500.08.
- c) Lot Area – The intent of a PD District designed using conservation development principles is to allow smaller lot areas and more compact development patterns in

exchange for a higher percentage of dedicated open space and natural lands. To accomplish this goal, lot shall be flexible within a PD District designing using conversation development principles and shall be established by the approved preliminary development plan. All lots less than two acres in area shall be serviced by public sewer and water systems. Proposed lots with an area of 2 acres or more shall be served by either public sewer and water services or on site treatment and well systems subject to the approval of the Union County Engineer and Union County Health Department.

- d) Dedicated Open Space – All PD Districts designed using conversation development principles shall comply with the following minimum requirements regarding open space:
- (i) The minimum amount of open space to be provided is recommended to be 40% of the total acreage of the property being included in the PD District. Development of smaller parcels may be considered for a reduction in the open space requirements provided that the recommendations of (ii), (iii), and (iv) below still apply.
 - (ii) All PD Districts designed using conversation development principles shall strive to utilize open space to preserve natural features including but not limited to floodplains, waterways, stream buffers, steep slopes, woodlands, wetlands and natural habitats or shall be designed to preserve significant amounts of agricultural lands.
 - (iii) Open space shall meet all other requirements of Section 500.06(12).

5. Commercial and Office Land Use

Commercial and office development should be clustered in areas serviced by centralized utilities and adequate roadway systems. The density of general commercial development should not exceed 10,000 square feet per acre, absent special circumstances. This density calculation will ordinarily be based upon the total square footage proposed for the entire area devoted exclusively to commercial and office development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. In addition a higher density may be approved to accommodate mixed use projects and other innovative and sustainable planning features. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this type of development.

6. Industrial Land Use

Light industry, research and development, and related office uses should be clustered in areas serviced by centralized utilities and adequate highway accessibility. Absent special circumstances, density should not exceed 10,000 square feet per acre. This density calculation will ordinarily be based upon the total floor area proposed for the entire area devoted exclusively to industrial development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. The industrial areas should only develop in conjunction with centralized utilities. These areas should be master planned and well-coordinated, and not developed in a piecemeal (lot by lot) way. Access should be shared. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this development type. In addition, all industrial uses developed under the PD District shall conform to the following standards:

- a) Fire and Explosion Hazards – All activities, including storage, involving flammable or explosive materials shall include the provision of adequate safety devices against hazard of fire and explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.

- b) Air Pollution – No emission of air pollutants shall be permitted which violate the Clean Air Act of 1977 or later amendments as enforced by the Ohio Environmental Protection Agency.
- c) Glare, Heat, and Exterior Light – Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other shall be performed within an enclosed building and not visible beyond any lot line bounding the property whereon the use is conducted.
- d) Dust and Erosion – Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points off the lot in objectionable quantities.
- e) Liquid or Solid Wastes – No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.
- f) Vibrations and Noise – No uses shall be located and no equipment shall be installed in such a way as to produce intense, earth-shaking vibrations which are discernable without instruments at or beyond the property line of the subject premises. Noise standards of the Ohio Environmental Protection Agency shall be adhered to.
- a) Odors – No use shall be operated so as to produce the continuous, frequent or repetitive emission of odors or odor causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Ohio Environmental Protection Agency shall be adhered to. (Amnd. 10-20-2020, 12-6-2022)

500.08 Procedure for Amending to the PD District

In addition to the procedure set forth in Chapter 230 of this Resolution, all applications for amendments of the Official Zoning Map to PD District shall follow the procedures hereinafter set forth in Section 500.08, hereof.

1. Pre-application Meeting

The applicant is encouraged to engage in informal consultations with staff from the Township and the Union County subdivision authorities (e.g., Regional Planning Commission, County Engineer, Board of Health, etc.) prior to formal submission of an application for amendment of the Official Zoning Map to PD District. No statement or action by Township or County officials in the course of these informal consultations shall be construed to be a waiver of any legal obligation of the applicant or of any procedure or formal approval required by Township or County regulations. Ohio's Open Meetings Law (Section 121.22 of the Revised Code) is required to be observed at pre-application meetings involving a quorum of members of the Zoning Commission.

2. Application

The owner(s) of any property may request that the property be rezoned by amending the Official Zoning Map to Planned Development District for that property by filing fifteen (15) copies of an application for such amendment with the Zoning Commission, which application shall contain:

- a) Name, address and telephone number of the owner and applicant;
- b) Name, address and telephone number of the urban planner, architect, landscape architect, surveyor and/or engineer assisting in the preparation of the application or preliminary development plan;
- c) Legal description of the property and the address of the property;

- d) Description of existing uses;
- e) Present zoning district;
- f) A vicinity map at a scale approved by the Zoning Commission showing the relationship of the proposed PD District to the adjacent properties, existing roads and public service facilities in the area;
- g) A list of the names and addresses of the owner or owners of the property, the applicant, and all owners of property which are within, contiguous to and directly across the street from the subject property as such addresses appear on the County Auditor's current tax list; and
- h) Any other matter or information deemed necessary or relevant by the Zoning Commission for the proposed amendment.

3. Proposed Preliminary Development Plan

In addition to the application required herein, fifteen (15) copies of the proposed preliminary development plan shall be submitted with the application. The proposed preliminary development plan shall be prepared and endorsed by a certified or licensed planner, architect, landscape architect, engineer and/or surveyor, with all mapping to be at a scale of at least 1" = 100', and shall include, in text and map form, the following:

- a) A conceptual site plan of the proposed PD District, including any proposed subareas, any proposed buildings other than single-family dwellings or two-family dwellings, any functional use areas, circulation patterns, and their relationship.
- b) Proposed densities, number of lots and dimension parameters, and building intensities.
- c) Proposed parks, playgrounds, schools and other public facilities or open spaces including woodland preservation and natural topography preservation areas with their suggested ownership.
- d) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown.
- e) Relation to existing and future land use in surrounding area.
- f) Proposed provision of water, sanitary sewers, surface drainage, and street lighting.
- g) Proposed traffic and pedestrian circulation pattern, indicating both public and private streets and highways, access points to public rights-of-ways, bike paths and trails, sidewalks and any off-site street improvements.
- h) An anticipated schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed phase for various uses, the number of housing units proposed by type; building heights; open space; building intensity; parking areas; density and public improvements proposed.
- i) Engineering feasibility studies and schematic plans showing, as necessary, water, sewer and other utility installations, waste disposal facilities, surface drainage, and street improvements.
- j) A preliminary traffic study completed to the requirements of the Union County Engineer or correspondence from the County Engineer's Office or other relevant public agency that a traffic study is not required for the proposed development.
- k) General architectural design criteria for proposed buildings, structures, signs and exterior lighting with proposed control features.
- l) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.
- m) Projected schedule of site development.
- n) Evidence that the applicant has sufficient control over the land to carry out the proposed development.

- o) Regulation text for development in the proposed Planned Development District. That text shall set forth and define the uses to be permitted in the proposed Planned Development District and the development standards applicable to the proposed District. The regulation text is intended to guide all development of the property proposed to be designated as a Planned Development District by the application.
- p) The regulation text provided for in subsection (o), above, shall cover all appropriate zoning regulations for the proposed PD District including, without limitation, the following:
 - (i) All required setbacks including, but not limited to, buildings, service areas, off-street parking lots and signage, including rear, front and side yard areas.
 - (ii) All maximum height and size requirements of buildings, mechanical areas and other structures.
 - (iii) All parking and loading space standards per building square footage or dwelling unit type, including dimensions of all parking stalls, aisles and loading spaces.
 - (iv) All street and road right-of-way and pavement width dimensions, curb cut spacing and other related circulation standards.
 - (v) All pedestrian and bicycle walkway, trail and sidewalk dimensional standards, including rights-of-way and pavement width, and pavement standards.
 - (vi) All screening and landscaping standards, including buffer dimensions, height, landscape material, maintenance standards, and screening standards for off-street parking areas, loading docks, trash receptacles and dumpsters, ground- and roof-mounted mechanical units and adjacent areas.
 - (vii) All proposed signage and graphic standards, including height, setback, square footage, colors, corporate logos and type.
 - (viii) All exterior lighting standards, including light intensity, placement, height and materials for parking lots, walkways, sidewalks and accent lighting.
 - (ix) All exterior architectural design standards, including material, color and styles.
 - (x) A list and description of the precise uses proposed for the development. Listed uses shall be defined by their customary name or identification, except where they are specifically defined or limited elsewhere in the preliminary development plan or this Zoning Resolution. Any listed use may be limited to specific areas delineated in the proposed preliminary development plan;
 - (xi) Frontage requirements, minimum lot area requirements, yard areas, lot coverage restrictions and perimeter setback requirements.
 - (xii) Accessory structure standards and limitations.
 - (xiii) Open space area, uses and structures, including proposed ownership and sample controlling instruments.
 - (xiv) Any other regulatory area or matter deemed necessary or relevant by the Zoning Commission.
 - (xv) The regulation text should contain the following provision: All development standards not specifically addressed by the regulation text shall be regulated by those general development standards set forth in the Zoning Resolution.

4. Basis of Approval

In determining whether or not to approve an application for amendment of the Official Zoning Map to Planned Development District, the reviewing authorities shall consider all relevant factors and circumstances including, without limitation, the following:

- a) Whether the proposed development is consistent in all aspects with the purpose, policies, criteria, intent, and standards of this Zoning Resolution;

- b) Whether the proposed development is in conformity with the applicable plans for the area or such portion thereof as may apply, or whether the benefits, improved arrangement and design of the development justify any deviation there from;
- c) Whether the proposed development promotes the public health, safety and general welfare of the Township and the immediate vicinity;
- d) Whether the proposed plan meets the design features contained in this Resolution;
- e) Whether the proposed development is in keeping with the existing or planned land use character and physical development potential of the area;
- f) Whether the proposed development will be compatible in use and appearance with surrounding or planned land uses;
- g) Whether the development will have a beneficial or an adverse effect upon the Township and other governmental services;
- h) Whether the area surrounding the development can be planned, zoned and developed in coordination and substantial compatibility with the proposed development;
- i) Whether the existing and proposed utility and governmental services are adequate for the population densities and nonresidential uses proposed;
- j) Whether the development promotes greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development;
- k) Whether the development can be made accessible through existing or future roadways without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township;
- l) Whether the development is located and designed in such a way as to minimize any unreasonable adverse impact on existing residential or agricultural areas of the Township; and
- m) Whether the benefits, improved arrangement and design of the property to be developed justify rezoning the tract to the PD District.

5. Effect of Approval

- a) The action of the Board of Township Trustees in approving an application for amendment to a PD District and a preliminary development plan shall constitute an amendment of the Official Zoning Map for the subject tract to the PD District permitting development and use of said land and any structures thereon in accordance with the development standards contained in the preliminary development plan. However, in a PD District, no use shall be established and no structure shall be constructed or altered on any part of said tract, until there is submitted a detailed development plan for said part of said tract, and until the detailed development plan is approved by the Zoning Commission.
- b) The approval of the preliminary development plan shall be for a period of five (5) years, to allow for the preparation of a required detailed development plan(s). Unless the Board of Township Trustees approves such an extension of this time limit, upon the expiration of such period, no use shall be established and no building, structure or improvement shall be constructed until an application accompanied by a new preliminary development plan has been filed with and approved by the Board of Township Trustees, and such application for approval shall be subject to the same procedures and conditions as an original application for the preliminary development plan approval. This new application shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to designate the property Planned Development District. In addition, the Board of Township Trustees or Zoning Commission may initiate a zoning amendment to amend the Official Zoning

Map for the tract to a previous zoning district or to another similar standard zoning district upon expiration of the preliminary development plan approval period.

6. Extension of Time for Preliminary Development Plan

Upon application by the owner(s), the Board of Township Trustees may extend the time limit provided by Section 500.08 5(b), above. Such extension may be given after application by the applicant showing the purpose and necessity for same and upon evidence that the owner(s) has made reasonable efforts toward the accomplishment of the original approved preliminary development plan, and that such extension is not in conflict with the general health, safety and welfare of the public. (Amnd. 10-20-2020, 12-6-2022)

500.09 Detailed Development Plan**1. Application**

In a PD District, no use shall be established and no structure shall be constructed or altered until a detailed development plan for each such use and/or structure has been approved by the Zoning Commission. An application, in a form approved by the Zoning Commission, shall be completed by the property owner and submitted with the Development Plan. A total of 15 copies of the application and supporting material shall be submitted. The application form shall be provided by the Zoning Inspector. All mapping shall be prepared using the County's graphic standards.

2. Proposed Detailed Development Plan Contents

In addition to the application required herein, 15 copies of the detailed development plan shall be submitted with the application. The detailed development plan, which may be submitted for the entire development or an individual phase, shall contain, in text and map form, the following information at a minimum:

- a) Proposed name of the development and its location;
- b) Names and addresses of owners and developers;
- c) Date, north arrow and plan scale. Scale shall be one-inch equals 100 feet or larger scale;
- d) Boundary lines of the proposed development and the total acreage encompassed therein;
- e) Locations, widths and names of all existing public streets or other public ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and section and corporation lines within or adjacent to the tract;
- f) Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations;
- g) The lot lines of adjacent tracts, parcels or lots;
- h) Residential density, dwelling types, nonresidential building intensity and specific uses to be included within the proposed development, specified according to area or specific building location;
- i) Existing ground configuration, drainage channels, wooded areas, watercourses and other significant physical features;
- j) Layout of proposed streets, including their names and rights of way, easements, sewers, water lines, culverts, street lighting and other major improvements;
- k) Layout, numbering and dimensions of lots if more than one;
- l) Anticipated building envelope and general architectural style and character of proposed structures;

- m) Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant and for the dedications;
- n) Building setback lines with dimensions;
- o) Tentative street grades and sewer size slope;
- p) Traffic circulation, parking areas, curb cuts and pedestrian walks;
- q) Landscaping plans, including site grading and landscape design;
- r) Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission;
- s) For other than detached single-family structures, provide:
 - (i) Drawings for buildings to be constructed in the current phase, including floor plans, exterior elevations and sections;
 - (ii) Color rendering of buildings(s), complete with a listing of all colors, including Pantone 1999-2000 Reference Numbers or if Pantone is not available, the manufacturer's reference/serial number with sample, and materials, with samples to be used;
 - (iii) Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development;
 - (iv) Intended measures to screen rooftop mechanical equipment from view;
- t) A detailed signage and exterior lighting plan;
- u) Accommodations and access for emergency and firefighting apparatus;
- v) The management plan or mechanism to provide for the perpetual maintenance of all open space, landscaping, buffers and shared parking areas by the ultimate owner and/or user and the controlling instruments;
- w) Location of open space area and designation of intended uses; and
- x) Any additional information as may be required by the Zoning Commission.

3. Zoning Commission Action on Detailed Development Plan

After receipt of the completed application materials and payment of required fees, the Zoning Commission shall schedule a public hearing to be held within a reasonable amount of time and shall provide the applicant written notice at least ten (10) days prior to the date of the hearing. The Zoning Commission shall render a decision on the application within thirty (30) days after the conclusion of the public hearing. In determining whether or not to approve an application for detailed development plan approval, the Zoning Commission shall consider and approve a detailed development plan upon a finding of substantial compliance with the approved preliminary development plan.

4. Commencement of Development

The approval of a detailed development plan shall be effective for a period of five (5) years in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a zoning certificate(s). If no plat has been recorded within this approval period or, if platting is not required, if construction or other affirmative actions, efforts, planning or other expenditures has not commenced, or unless the Zoning Commission approves an extension of this time limit, a detailed development approval shall expire. Upon the expiration of a detailed development, the subject parcel(s) shall remain zoned PD District, but no use shall be established or changed, and no building, structure or improvement shall be constructed until an application for a detailed development plan, accompanied by a new detailed development plan and all information required therewith, has been filed with and approved by the Township using the procedures and process established herein for the approval of a detailed development plan.

5. Extension of Time for Detailed Development Plan

Upon application by the owner(s), the Zoning Commission may extend the time limit provided by Section 500.09(4), above. Such extension may be given upon a showing of the purpose and necessity for same and upon evidence that the owner(s) has made reasonable efforts toward the accomplishment of the original approved preliminary development plan, and that such extension is not in conflict with the general health, safety and welfare of the public or the development standards of the PD District.

6. Modification of Detailed Development Plan

An applicant seeking to modify an approved detailed development plan shall file an application for modification of the detailed development plan utilizing the same procedures and criteria as established for the approval of the initial detailed development plan. (Amnd. 10-20-2020, 12-6-2022)

500.10 Fees

A fee as established by Schedule of Zoning Fees shall accompany an application requesting approval of an amendment the Official Zoning Map to Planned Development District or approval of a detailed development plan. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the preliminary development plan or detailed development plan. These expenses may include, without limitation, costs for professional consultants such as architects, landscape architects, planners and engineers utilized by the Township in connection with reviewing the preliminary development plan or detailed development plan and related application materials. As soon as reasonably practicable following the submission of an application for approval of a preliminary development plan or detailed development plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist it in reviewing the application. If the Zoning Commission decides it needs professional consulting services, it shall designate the person(s) to be consulted and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Commission shall provide the applicant with notice of its initial estimate of such expenses. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and, if such review results in an increase in the estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Commission shall send the applicant written notice of the revised estimate of fees and charges. Within fourteen (14) days of the date of the notice of the initial estimate of fees and charges (and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Zoning Commission shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services. (Amnd. 10-20-2020, 12-6-2022)

500.11 Phases

Developments within a Planned Development District may be approved for development in phases. Each phase shall require approval of a detailed development plan for that phase pursuant to the procedures set forth herein. Absent an extension of a preliminary

Zoning Resolution

Jerome Township, Union County, Ohio

Article 5

Special Zoning Districts

development plan approved by the Board of Township Trustees, all phases shall be submitted for and receive approval of a detailed development plan within the time frame set forth in Section 500.09(4). (Amnd. 10-20-2020, 12-6-2022)



Staff Report – Mad River Township (L) Zoning Amendment

Applicant:	Mad River Township Zoning Commission c/o Gerald Blair 3978 Storms Creek Rd Urbana, OH 43078 blairg@outlook.com
Request:	The Mad River Township Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II Definitions by adding Adult Use Cannabis related definitions, modifying Medical Marijuana related definitions, and adds “Fence or Wall”. It amends article V and Article VI regarding public notice requirements and amendments. It also amends Article X Supplementary District Regulations by adding Section 1013 Fences & Walls, Section 1036 General Conditions for Adult Use Cannabis Operators, and amends Section 1037 General Conditions for Medical Marijuana Entities. It also adds visual diagrams.
Location:	Mad River Township is in southwest Champaign County and contains the unincorporated communities of Terre Haute, Thackery, and Westville. The southern-most edge borders Clark County.
Staff Analysis:	BZA Public Notices The Township is modifying several sections in Article V Administration. The change eliminates specific public notice requirements, and instead references the relevant ORC language. ○ Staff recommends changing Section 547 to read “Before holding the public hearing required in Section 546, notice of such hearing shall be given at least 10 days before the date of said hearing, in accordance with ORC 519.15. The notice shall set forth the date, time, and location of the public hearing, and the nature of the proposed appeal or variance.” Zoning Amendments The Township is modifying Article VI Amendments. Instead of listing out the entire process, it leaves in place application and initiation information, but then references ORC 519.12 for the remainder of the process. Adult Use Cannabis Operators The Township proposes to adopt Version 1 of the LUC Adult Use Cannabis Model Text. This establishes Adult Use Cannabis related definitions in Article II, and creates Section 1036 General Conditions for Adult Use Cannabis Operators, which prohibits Adult Use Cannabis Operators.



Staff Report – Mad River Township (L) Zoning Amendment

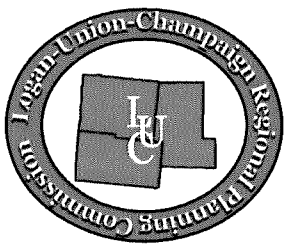
	LUC Staff notes: It may be wise of the Township Trustees to take additional action on adult use cannabis cultivation. Township Trustees can prohibit adult use cannabis cultivation by an additional and separate resolution, as it is unclear if it could be argued that the use is agricultural and exempt from local zoning. ○ Staff recommends including this information in the transmittal of the Zoning Commission’s recommendation to the Trustees. Medical Marijuana Entities The Township adopted a previous iteration of the LUC Medical Marijuana Model Text, and prohibits all entities (Version 1). The amendment also includes changes that would amend Section 1037 General Conditions for Medical Marijuana Entities as well as the related definitions in Article II Definitions to match the current iteration of the LUC Model Text. Fences & Walls The Township is adding Section 1013 Fences & Walls as well as the definition of “Fence or Wall” in Article II Definitions. This language, while not model text, is the same text that was adopted by Washington Township in Union County; it includes the recommendations given by the Union County Prosecutor and the LUC Executive Committee. ○ Staff recommends removing the word “said” from Section 1013(1)(C). ○ Staff recommends moving “(3)” to between “three” and “feet” in Section 1013(1)(d). ○ Staff recommends making sure that each measurement includes units after it. The unit “feet” should be placed after “(6)” in 1013(2)(d). Diagrams The Township is proposing to add visual diagrams that come from LUC Model Text. LUC Staff have been working with many Townships to get these diagrams placed back into Zoning Resolutions after slowly disappearing over time. Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. At the time of the writing of this report, the Prosecutor’s Office has not provided any comments.
Staff Recommendations:	Staff recommends APPROVAL WITH MODIFICATIONS of the proposed zoning text amendment. Those modifications are: ○ Staff recommends changing Section 547 to read “Before holding the public hearing required in Section 546, notice of such hearing shall be given at least 10 days before the



Logan-Union-Champaign regional planning commission

Staff Report – Mad River Township (L) Zoning Amendment

	date of said hearing, in accordance with ORC 519.15. The notice shall set forth the date, time, and location of the public hearing, and the nature of the proposed appeal or variance.” ○ Staff recommends removing the word “said” from Section 1013(1)(C). ○ Staff recommends moving “(3)” to between “three” and “feet” in Section 1013(1)(d). ○ Staff recommends making sure that each measurement includes units after it. The unit “feet” should be placed after “(6)” in 1013(2)(d). Staff also recommends including a reminder for the Trustees to take additional and separate action on adult use cannabis cultivators in the transmittal of the Zoning Commission’s recommendation to the Trustees.
Z&S Committee Recommendations:	Options for action: • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i>



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 3/25/25 Township: Mad River

Amendment Title: Marijuana, Public Notice Requirements, Fences + Walls, Diagrams

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	☒	☒
Date of Request (stated in cover letter)	☒	☒
Description of Zoning Text Amendment Change (s)	☒	☒
Date of Public Hearing (stated in cover letter)	☒	☒
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	☒	☒
Attachment of Zoning Text Amendment with changes highlighted or bolded	☒	☒
Copy of current zoning regulation, or section to be modified for comparison	☒	☒
Non-LUC Member Fee, If applicable	☐ n/a	☐ n/a

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

Date of Request.

March 25, 2025

Logan-Union-Champaign Regional Planning Commission

c/o Aaron Smith

PO Box 219

East Liberty, OH 43319

aaronsmith@lucplanning.com

RE: Zoning Text Amendment Application, Mad River Township, Champaign County

Amendment topic: Marijuana, Public Notice Requirements, Fences & Walls, Diagrams

Dear LUC Regional Planning Commission Committee Members:

The Mad River Township Zoning Commission met at 7:00 PM on March 25, 2025. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

The proposal amends Article II by adding Adult Use Cannabis related definitions, Fence or Wall, and ~~and~~ Medical Marijuana related definitions, Article V and Article VI regarding public notice requirements and amendments, Add Section 1013 Fences & Walls, add section 1036 General Conditions for Adult Use Cannabis Operators, amend Section 1037 General Conditions for Medical Marijuana, and adds diagrams.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are **bolded** and ~~struck~~. Please refer to these attachments for further information.

Public Hearing.

The Mad River Township Zoning Commission of Champaign County, Ohio, will hold a public hearing concerning the proposed amendments at 7:00 PM on April 22, 2025, in the Mad River Township Hall.

Point of Contact.

Please consider me Mad River Township's point of contact for this matter. My contact information is below:

Name: Gerald Blair

Email: blairgr@outlook.com

Address: 3978 Storms Creek Rd
Urbana, OH 43078

Phone: (937) 869-3088

Sincerely, Timothy C. Martin
Timothy C Martin

Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and **added**)

- b. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of “specified anatomical areas” or the conduct or simulation of “specified sexual activities.”
 - c. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with “specified sexual activities” or that depict or describe “specified anatomical areas.”
4. **Adult Mini Motion Picture Theatre.** A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.
 5. **Adult Motion Picture Theatre.** A facility with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.
 6. **Adult Entertainment Business.** Any establishment involved in the sale or services or products characterized by the exposure or presentation of “specified anatomical areas” or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

Adult use cannabis related definitions:

- a. Adult Use Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, “adult use cannabis” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- b. Adult Use Cannabis Operator. Pursuant to ORC 3780 as amended or replaced from time to time, “adult use cannabis operator” means an adult use cultivator, processor, and dispensary.
- c. Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, “cannabis” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- d. Cultivation Facility. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivation facility” means a facility where a cultivator is licensed by the State of Ohio to operate.
- e. Cultivate. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivate” means to grow, harvest, package, and transport adult use cannabis.
- f. Cultivator. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivator” means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport adult use cannabis.
- g. Dispensary. Pursuant to ORC 3780 as amended or replaced from time to time, “dispensary” means an entity or person licensed by the State of Ohio to sell adult use cannabis.
- h. Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, “manufacture” means the process of converting harvested plant material into adult use

- extract by physical or chemical means for use as an ingredient in an adult use cannabis product.
- i. Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
 - j. Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marijuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
 - k. Processor. Pursuant to ORC 3780 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.
 - l. Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Agriculture. "Agriculture" includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and furbearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber, pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Airport. A tract of land designated and set aside for the landing and take-off of commercial and/or non-commercial aircraft, for the discharge or receiving of cargo and/or passengers, or for the repair, fueling, or storage of aircraft; and which contains facilities for aircraft including specifically a paved strip on which airplanes land and take-off. An airport shall not be construed to be a private landing field as defined herein.

Alley. Any public way or thoroughfare less than twenty (20) feet in width, which has been dedicated to the public or public use.

Animal Feed Lot. A paved animal feeding or holding area or other lot, pen, yard, or other feeding or holding area where grass or other suitable vegetative cover is not maintained.

Apartment. A portion of a building comprising a single dwelling unit consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

Automotive Repair. The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision services, painting, and steam cleaning of vehicles.

Automotive Service Station. That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel are stored and

wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities, municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more persons occupying a single dwelling unit and living as a single housekeeping unit.

Farm. A farm is an area of land on which at least \$2,500 gross sales from agriculture products was produced and thus must meet the following Current Agricultural Use Value (CAUV) standards: All farms larger than ten (10) acres qualify for CAUV if they have been devoted exclusively to "commercial" agricultural use for the past three (3) years. Farms smaller than ten (10) acres are eligible if the average yearly gross farm income for the past three (3) years is at least \$2,500 from "commercial" agricultural production. See Section 5713.30(A) of the Ohio Revised Code for further explanation.

Farm Market. A building or structure designed or used or intended to be used for the display and/or sale of produce, raised on farms owned or operated by the farm market operator.

Fence or Wall. A "fence" is a barrier used as a boundary, separation, means of protection or means of controlling access, screening, confinement, or decoration. Materials commonly used include wood, wire, iron, etc. A "wall" is a solid fence or is the solid portion of a fence. A "wall" is a barrier constructed so that the vertical surface is closed, thus preventing the passage of light, air, and vision in a horizontal plane. Materials commonly used include masonry, brick, metal, wood, etc.

Floor Area of a Residential Building. The sum of the gross horizontal area or the several floors of a residential building, excluding basement floor areas not devoted to residential use and attached garages, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Floor Area of a Non-Residential Building (To be used in calculating parking requirements). The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts, and rooms.

Floor Area, Livable. The livable floor area in square feet of existing or proposed buildings or structures or additions thereto shall be computed by multiplying the outside horizontal dimensions with each floor of the livable area. Porches, carports, and similar structures shall not be considered in computing the total livable area.

Floor Area, Useable. Measurement of usable floor area shall be the sum of the horizontal areas of the several areas of the building, measured from the interior faces of the exterior walls.

Food Processing. The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries, meat processing plants and similar activities.

Foundation, Permanent. Permanent perimeter masonry, concrete, or a locally approved footing or foundation to which a dwelling may be affixed.

Manufactured or Mobile Home Park. Any tract of land upon which three (3) or more manufactured (not permanently sited) or mobile homes uses for habitation are located, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and on which the individual lots are not for rent or rented, but are for sale or sold for the purpose of locating manufactured (not permanently sited) or mobile homes is not a manufactured or mobile home park unless three (3) or more manufactured (not permanently sited) or mobile homes used for habitation are located upon any one (1) individual lot. “Manufactured or mobile home park” does not include any tract of land used solely for the storage or display for sale of manufactured (not permanently sited) or mobile homes or solely as a temporary park-camp.

Manufacturing, Heavy. Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

Manufacturing, Light. Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances.

~~**Marijuana.** Means all parts of a plant of the *genus cannabis*, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. “Marijuana” does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks; fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination.~~

~~**Medical marijuana.** Means marijuana that is cultivated, processed, dispensed, tested, or possessed; or used for a medical purpose.~~

~~**Medical marijuana entity.** Means a State-licensed medical marijuana cultivator, processor, dispensary, or testing laboratory.~~

~~**Medical marijuana, cultivate.** Means to grow, harvest, package and transport medical marijuana pursuant to Ohio Revised Code 3796.~~

~~**Medical marijuana cultivator.** Means an entity authorized by the State of Ohio to grow, harvest, package and transport medical marijuana as permitted under Ohio Revised Code 3796.~~

~~**Medical marijuana dispensary.** Means an entity licensed pursuant to Ohio Revised Code Chapter 3796 and any rules promulgated thereunder to sell or dispense medical marijuana to qualifying patients and caregivers.~~

~~**Medical marijuana, dispense.** Means the delivery of medical marijuana to a patient or the patient’s registered caregiver that is packaged in a suitable container appropriately labeled for subsequent~~

~~administration to or use by a patient who has an active patient registration with the State of Ohio, authorizing them to receive medical marijuana.~~

~~**Medical marijuana, manufacture.** Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.~~

~~**Medical marijuana processor.** Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.~~

~~**Medical marijuana testing laboratory.** Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.~~

Medical marijuana related definitions:

- a. Cultivate. Pursuant to ORC 3796 as amended or replaced from time to time, “cultivate” means to grow, harvest, package, and transport medical marijuana.
- b. Cultivator. Pursuant to ORC 3796 as amended or replaced from time to time, “cultivator” means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport medical marijuana.
- c. Dispensary. Pursuant to ORC 3796 as amended or replaced from time to time, “dispensary” means an entity or person licensed by the State of Ohio to sell medical marijuana.
- d. Manufacture. Pursuant to ORC 3796 as amended or replaced from time to time, “manufacture” means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- e. Marihuana. Pursuant to ORC 3796 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- f. Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, “marijuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- g. Medical Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, “medical marijuana” means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.
- h. Medical Marijuana Entity. Pursuant to ORC 3796 as amended or replaced from time to time, “medical marijuana entity” means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- i. Processor. Pursuant to ORC 3796 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture medical marijuana products.
- j. Testing Laboratory. Pursuant to ORC 3796 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Section 545 Supplementary Conditions and Safeguards. Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the District involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 546 Public Hearing by the Board of Zoning Appeals. The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

Section 547 Notice of Public Hearing~~in Newspaper.~~ Before holding the public hearing required in Section 546, notice of such hearing shall be given in ~~one newspaper of general circulation in the township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.~~accordance with ORC 519.15.

Section 548 Notice to Parties in Interest. Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. Parties of interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. The notice shall contain the same information as required of notices published ~~in newspapers~~ as specified in Section 547.

Section 549 Action by Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 547, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 560 Procedure and Requirements for Approval of Conditional Use Permits. Conditional uses shall conform to the procedures and requirements of Section 561-563, inclusive of this Resolution.

Section 561 General. It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size and method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Section 562-568, inclusive.

Section 562 Contents of Application for Conditional Use Permit. An application for a conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals by at least

one owner or lessee of property for which such conditional use is proposed. At a minimum the application shall contain the following information:

1. Name, address, and telephone number of the applicant;
2. Legal description of property as obtained by the County Auditor or said deed;
3. Description of existing use;
4. Current Zoning District;
5. Description of proposed conditional use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, odor and fumes on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Comprehensive Plan.

Section 563 General Standards Applicable to all Conditional Uses. The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
7. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
8. Will have a minimum frontage of at least 60 feet.

Section 565 Supplementary Conditions and Safeguards. In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 566 Procedure for Hearing, Notice. Upon receipt of the application for a conditional use permit specified in Section 562 the Board shall hold a public hearing, publish notice ~~in a~~

| ~~newspaper~~, and give written notice to all parties in interest according to the procedures specified in Section 546 through 548.

Section 567 Action by the Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 568 Expiration of Conditional Use Permit. A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.

Section 569 Revocation. A conditional use permit shall be revoked when the applicant fails to comply with conditions imposed by the Board of Zoning Appeals.

ARTICLE VI AMENDMENT

Section 600 Procedure for Amendment or District Changes. This resolution may be amended utilizing the procedures specified in ORC 519.12, as amended. ~~Sections 601-611, inclusive if this resolution.~~

Section 601 General. Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

Section 602 Initiation of Zoning Amendments. Amendments to this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By the passage of a resolution by the Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 Contents of Application. Applications for amendments to the Official Zoning Map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name, address, and telephone number of the applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
7. A list of all property owners and their addresses who are within, contiguous to, and directly across the road (street) from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
8. A fee as established by the Township Trustees, according to Section 360.

Section 604 Transmittal to Zoning Commission. Immediately after the passage of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code.

~~**Section 605 Public Hearing by Zoning Commission.** The Zoning Commission shall set a public hearing date no less than twenty (20) days nor more than forty (40) days after the filing of the application. Notice of the public hearing must be published in a newspaper of general circulation at least ten (10) days before the hearing. In the case of a zoning amendment to property or parcels, the Zoning Commission shall mail a notice of the public hearing by first class mail to all the owners adjacent to or across the road from the property affected by the proposed change.~~

~~If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the township zoning commission that will be conducting the hearing;~~
- ~~2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;~~
- ~~3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list;~~
- ~~4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;~~
- ~~5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~6. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;~~
- ~~7. A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;~~
- ~~8. Any other information requested by the commission.~~

~~If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the township zoning commission that will be conducting the hearing on the proposed amendment;~~
- ~~2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;~~
- ~~3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~4. The name of the person responsible for giving notice of the hearing by publication;~~
- ~~5. A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;~~
- ~~6. Any other information requested by the commission.~~

~~**Section 606 Transmittal to Regional Planning Commission.** Within five days after the adoption of the motion, the certification of the resolution, or the filing of the application described in Section 602, the Zoning Commission shall transmit a copy of it together with text and map pertaining to it to the Regional Planning Commission, if there is such a commission, for approval, disapproval, or suggestions:~~

~~The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the township zoning commission. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.~~

~~**Section 607 Submission to Director of Transportation.** Before any zoning amendment is approved effecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials~~

by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway the Zoning Commission shall give notice, by registered mail or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

Section 608 Recommendation by Zoning Commission. The township zoning commission, within thirty days after the hearing, shall recommend the approval or denial of the proposed amendment, or the approval of some modification of it, and submit that recommendation together with the motion, application, or resolution involved, the text and map pertaining to the proposed amendment, and the recommendation of the Regional Planning Commission on it to the Board of Township Trustees:

Section 609 Public Hearing by Township Trustees. Upon receipt of the recommendation from the Zoning Commission, the Township Trustees shall schedule a public hearing. Said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission:

Section 610 Notice of Public Hearing in Newspaper. Notice of the public hearing required in Section 609 shall be given by the Township Trustees by at least one (1) publication in one (1) or more newspapers of general circulation in the Township. Said notice shall be published at least ten (10) days before the date of the required hearing:

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:

1. The name of the Board of Township Trustees that will be conducting the hearing;
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list;
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;
5. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;
6. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;
7. Any other information requested by the Board.

~~If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the Board of Township Trustees that will be conducting the hearing on the proposed amendment;~~
- ~~2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;~~
- ~~3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~4. The name of the person responsible for giving notice of the hearing by publication;~~
- ~~5. Any other information requested by the Board.~~

~~**Section 611 Action by Township Trustees.** Within twenty (20) days after the public hearing required in Section 607, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or adopt some modification thereof. In the event the Trustees denies or modifies the recommendation of the Zoning Commission, it must do so by a majority vote.~~

~~**Section 612 Effective Date and Referendum.** Such amendment adopted by the Trustees shall become effective thirty (30) days after the date of adoption unless within thirty (30) days after the passage of the Resolution there is presented to the Clerk a petition signed by a number of qualified voters residing in the Township equal to not less than eight (8) per cent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting the Trustees to submit the zoning amendment to the electors of the Township for approval or rejection at the next primary or general election. No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect. This shall comply with all of the requirements of Section 519.12 of the Ohio Revised Code.~~

Section 1011 Setback Requirements for Corner Buildings.

On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 1012 Visibility at Intersections.

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2.5) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of intersection.

Section 1013 Fences & Walls

Fences and walls are permitted in all districts, subject to the following conditions:

1. Location.

- a. Fences shall be permitted in any yard.
- b. Walls shall be permitted in any yard.
- c. If no structure exists on said residential property, no fence or wall may project past the front building line of the average of the adjacent properties or the minimum front yard setback, whichever is greater.
- d. No fence or wall shall be closer than three feet (3) to any right-of-way line.

2. Height.

- a. Fences shall not exceed four (4) feet in the front yard or six (6) in height for other yards for residential uses.
- b. Fences shall not exceed eight (8) feet in height for non-residential uses.
- c. Walls shall not exceed four (4) feet in the front yard or six (6) feet in height for other yards for residential uses.
- d. Walls shall not exceed six (6) in height for non-residential uses.

3. Sight Distance Requirements.

- a. No fence or wall shall violate the sight distance requirements found in Section 1012 Visibility at Intersections.

4. Zoning Permit.

- a. Unless otherwise stated in this Resolution, a zoning permit is required for the erection or installation of a fence or wall.

Section 1014 Yard Requirements for Multi-Family Dwellings.

Multifamily dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

Section 1015 Side, and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts. Non-residential buildings or uses shall not be located in or conducted closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to fifty (50%) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

Township Board of Trustees with written notice of such expiration, termination, cancellation or other event of non-renewal no later than one hundred twenty (120) days prior to the date of such event.

Section 1036 General Conditions for Adult Use Cannabis Operators.

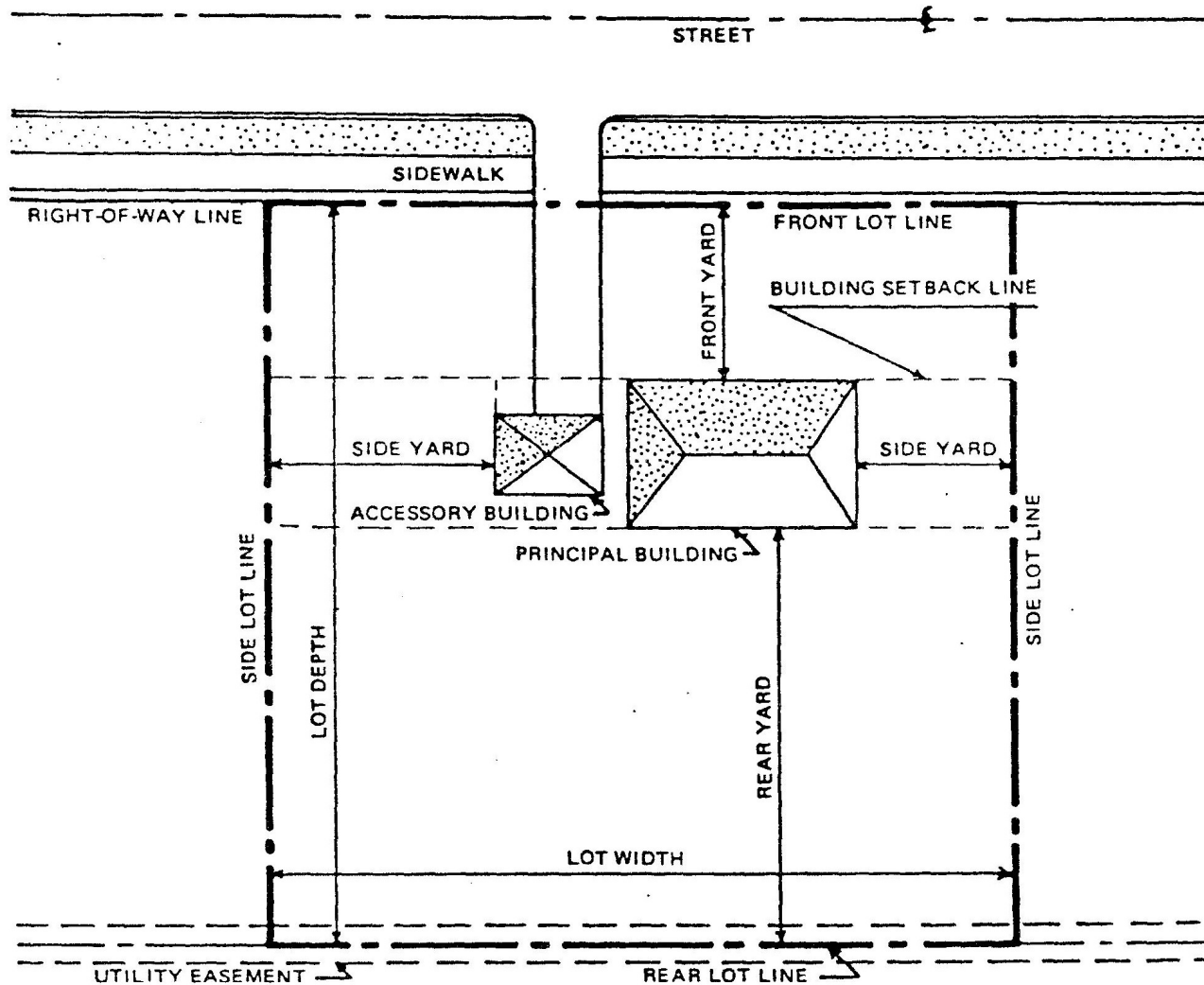
In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the *unincorporated area of the township*.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an “agricultural” use.
2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.

Section 1037 General Conditions for Medical Marijuana.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana ~~land uses consistent with Ohio Revised Code Chapter 519 and Ohio Revised Code Chapter 3796. Ohio Revised Code Section 519.21 allows regulation of the location of medical marijuana~~ cultivators, processors, or ~~retail~~ dispensaries within the *unincorporated area of the township*.

- ~~1. Prohibited in Zoning Districts Unless Explicitly Permitted. No medical marijuana entity shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Further, medical marijuana entities are not permitted as home occupations.~~
- ~~2. Not an Agricultural Use. Medical marijuana is not considered an “agricultural” use pursuant to Ohio Revised Code Section 519.21 (D).~~
- ~~3. Temporary or Mobile Building Prohibited. Further, no medical marijuana entity shall be located within a temporary or mobile building in any zoning district.~~
1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of medical marijuana shall not be considered an “agricultural” use pursuant to ORC 519.21 (D).
2. Zoning Districts. No medical marijuana entity including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No medical marijuana cultivation, manufacture, and/or sale by a medical marijuana entity shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

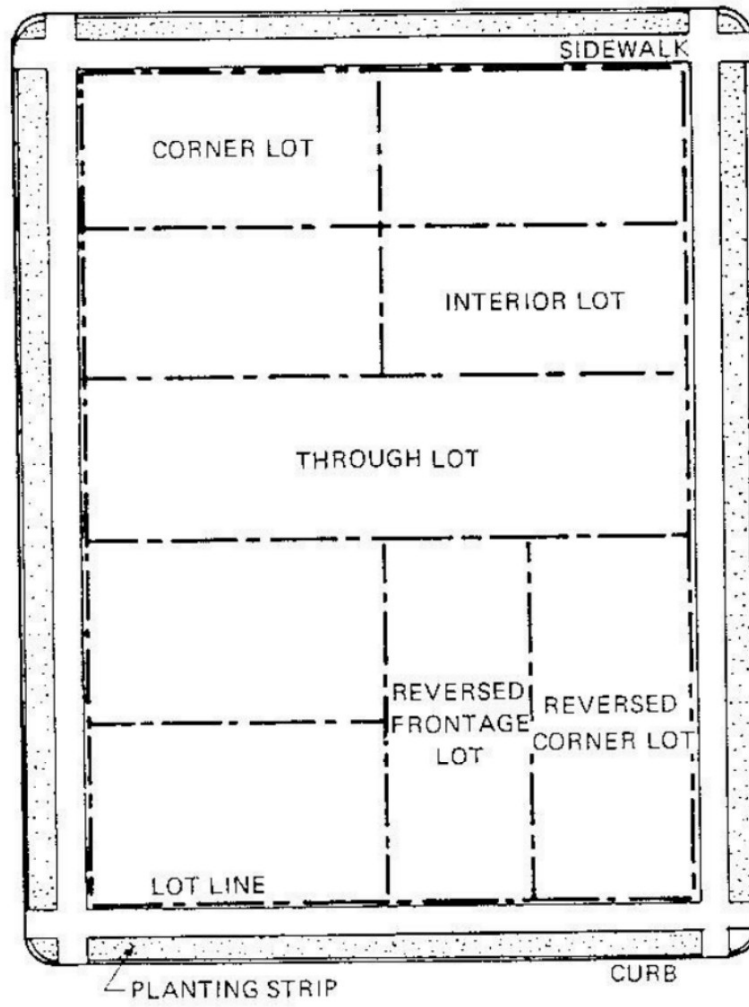


LOT AREA= TOTAL HORIZONTAL AREA

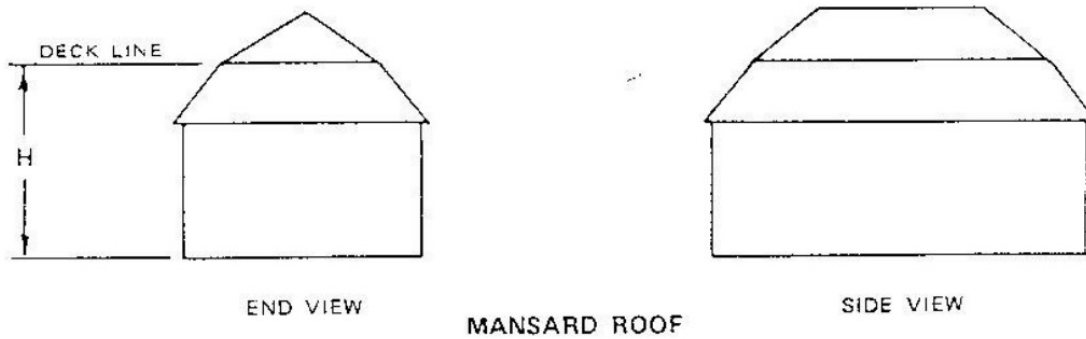
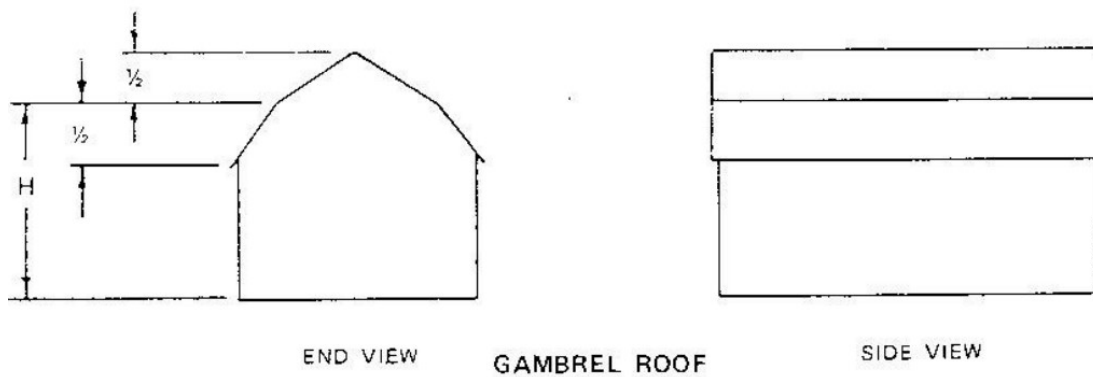
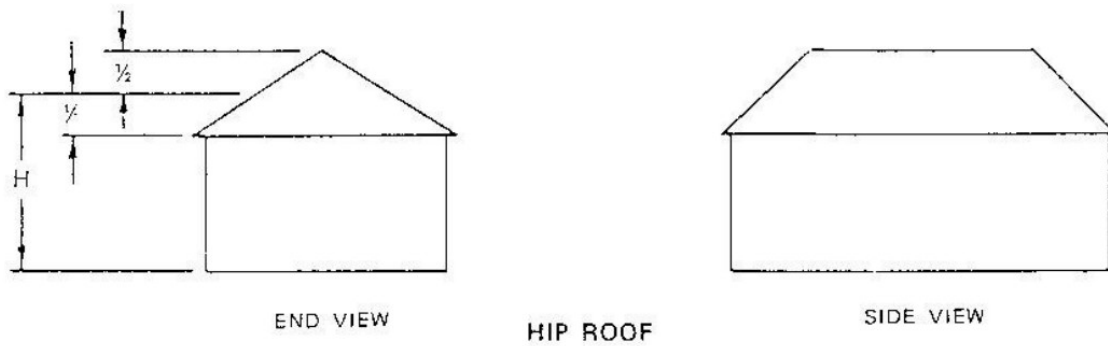
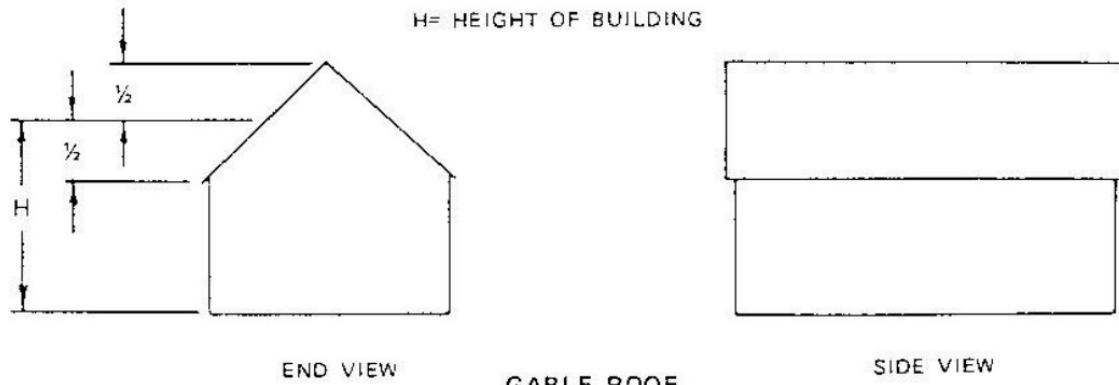
LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

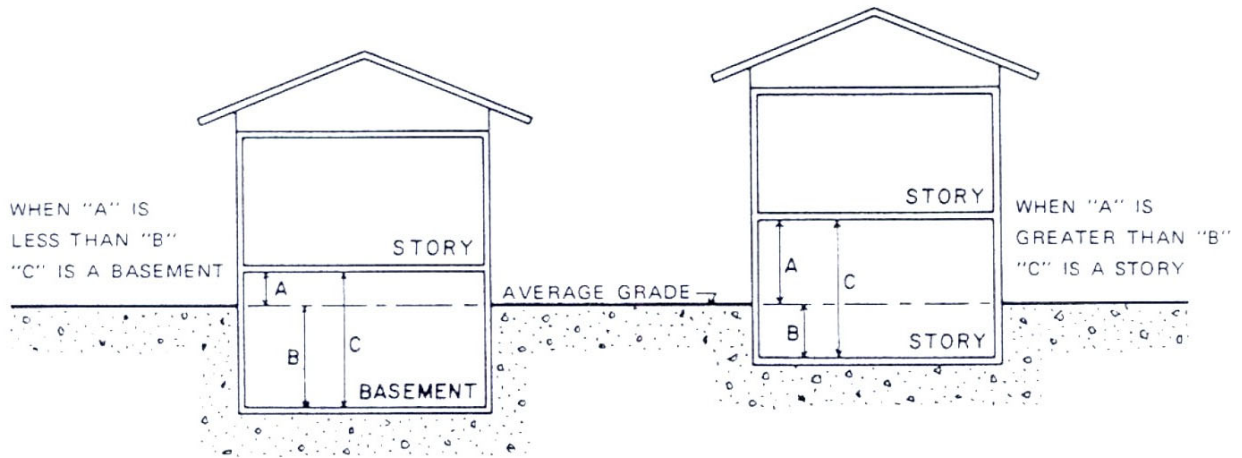
STREET



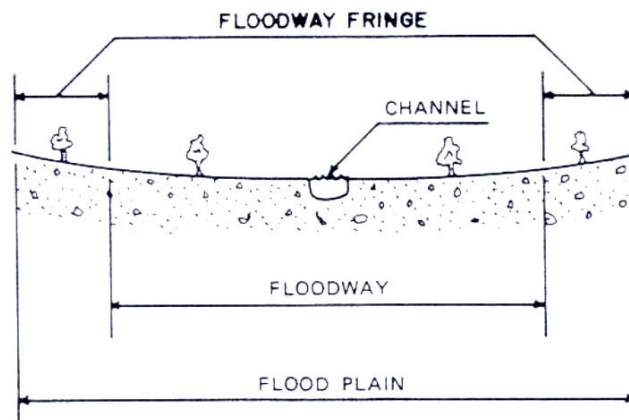
TYPES OF LOTS



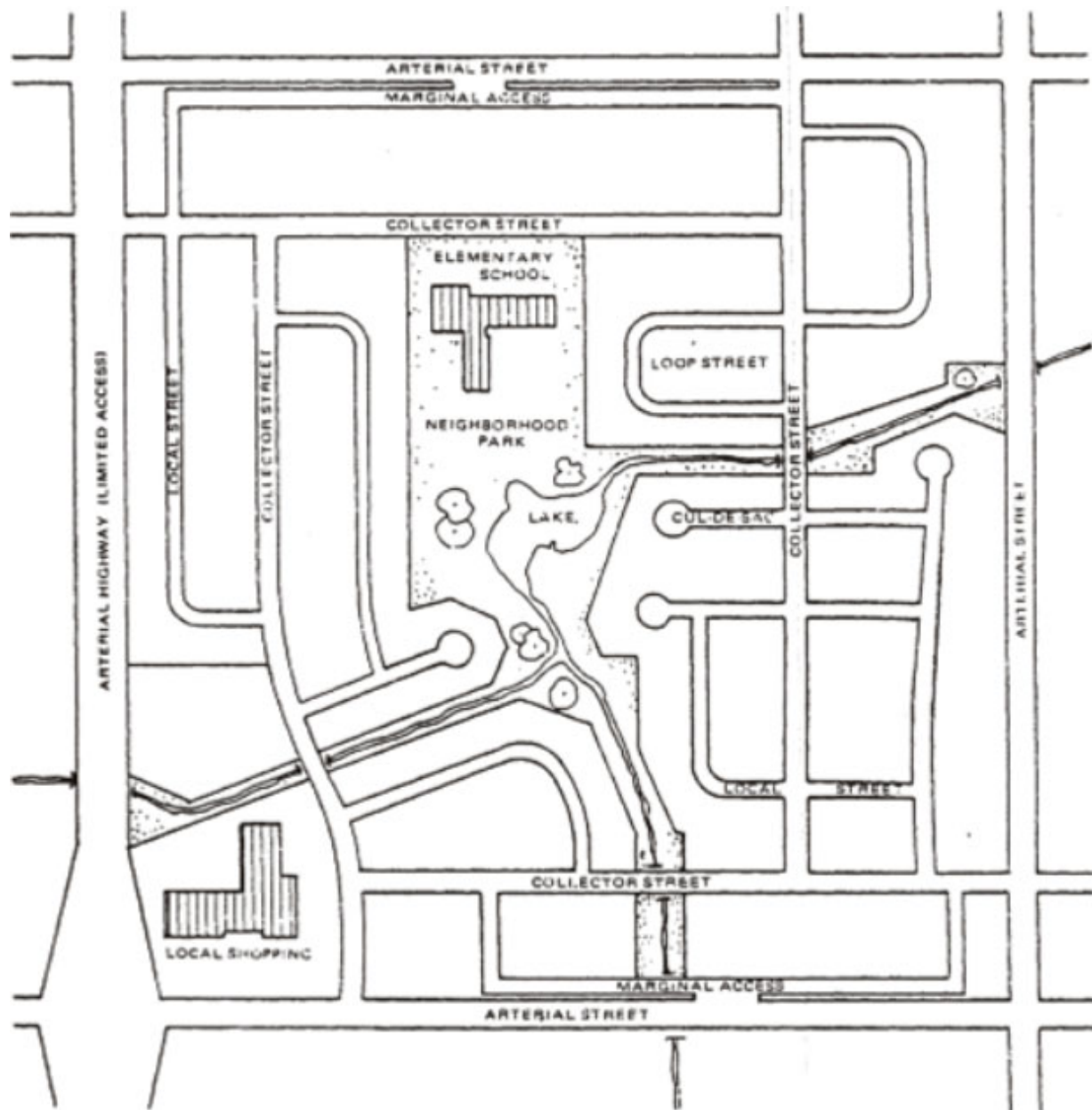
ROOF TYPES AND BUILDING HEIGHT



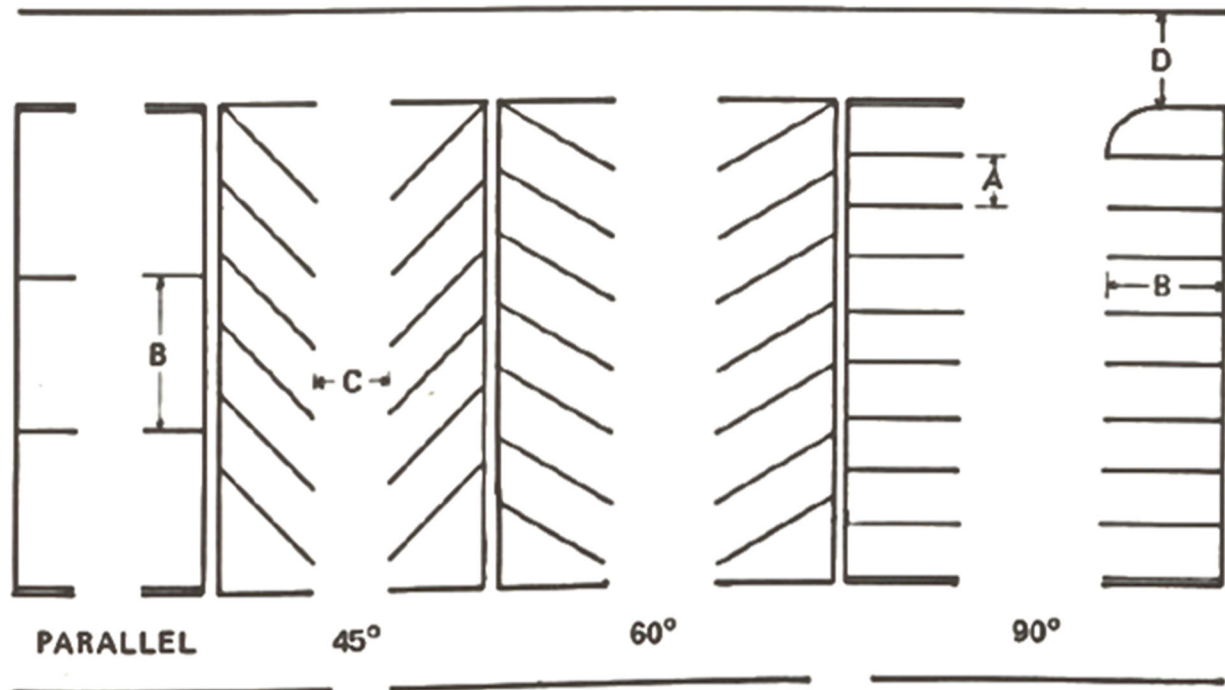
BASEMENT & STORY



FLOOD PLAIN TERMS



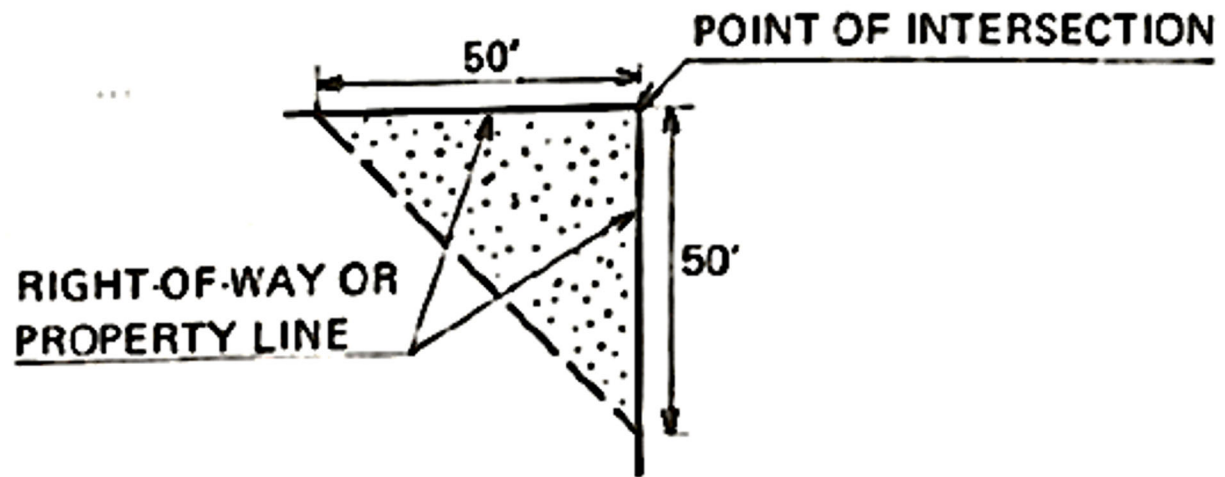
CLASSIFICATION OF THE THOROUGHFARE SYSTEM



OFFSTREET PARKING

OFF-STREET PARKING DIMENSIONAL TABLE

		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	9'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Isle	13'	17'6"	25'	12'
D	Width of Access Driveway	17'	14'	14'	14'



VISIBILITY AT INTERSECTIONS



Logan-Union-Champaign regional planning commission

Staff Report – Pleasant Township (L) Zoning Amendment

Applicant:	Pleasant Township Zoning Commission c/o Nancy Greene P.O. Box 136 DeGraff, OH 43318 nancygreene22@gmail.com
Request:	The Pleasant Township Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II Definitions by amending dwelling related definitions, solar related definitions, and adds wind-related definitions. It also amends public notice requirements in Article V Administration, amendment requirements in Article VI Amendments, and removes Section 1070 Driveway Culvert Requirements and Section 1220 Political Signs.
Location:	Pleasant Township is in western Logan County and contains part of the Village of DeGraff and the unincorporated community of Logansville.
Staff Analysis:	Manufactured/Mobile Homes Throughout the entire Resolution, text is modified in regards to Manufactured and Mobile Homes. This language is standardized language that has been previously recommended to other Townships by LUC in the past. This is to make sure that there is a clear distinction between manufactured homes that are permanently sited, manufactured homes that are not permanently sited, and mobile homes. Small Solar Energy Systems The Township adopted a previous iteration of the LUC Model Text for Solar Energy Systems. This text amendment incorporates the most recent LUC Model Text updates. Note: the Township has a cap of 50kW for an accessory solar energy system for a dwelling unit and no other principal use shall have an accessory solar energy system with a production output of more than 5MW. The text is being modified to match the most recent version of the LUC model text along with a recommendation from LUC staff that changes the next to last sentence of “B. Principal Solar Energy Production Facilities” to read: “It is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater)”. This is a recommendation that has been given to other Townships in the past.



Staff Report – Pleasant Township (L) Zoning Amendment

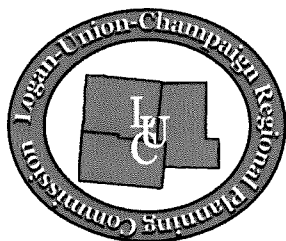
	Small Wind Projects (Less than 5MW) The Township is proposing to adopt the LUC Model Text for Small Wind Projects (Less than 5mw). BZA Public Notices The Township is modifying several sections in Article V Administration. The change eliminates specific public notice requirements, and instead references the relevant ORC language. ○ Staff recommends changing Section 547 to read “Before holding the public hearing required in Section 546, notice of such hearing shall be given at least 10 days before the date of said hearing, in accordance with ORC 519.15. The notice shall set forth the date, time, and location of the public hearing, and the nature of the proposed appeal or variance.” Zoning Amendments The Township is modifying Article VI Amendments. Instead of listing out the entire process, it leaves in place application and initiation information, but then references ORC 519.12 for the remainder of the process. ○ Staff recommends leaving “Section 605 Submission to Director of Transportation”, as that requirement is not found in ORC 519.12, it is in ORC 5511.01. Miscellaneous • Eliminate Section 1070 Driveway Culvert Requirements. This is legacy language left over from when Townships administered their own access management standards. The County Engineer now performs this function. • Eliminate Section 1220 Political Signs. Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. At the time of the writing of this report, the Prosecutor’s Office has not provided any comments.
Staff Recommendations:	Staff recommends APPROVAL WITH MODIFICATIONS of the proposed zoning text amendment. Those amendments are: ○ Staff recommends changing Section 547 to read “Before holding the public hearing required in Section 546, notice of such hearing shall be given at least 10 days before the date of said hearing, in accordance with ORC 519.15. The notice shall set forth the date, time, and location of the public hearing, and the nature of the proposed appeal or variance.”



Logan-Union-Champaign regional planning commission

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	○ Staff recommends leaving “Section 605 Submission to Director of Transportation”, as that requirement is not found in ORC 519.12, it is in ORC 5511.01.
Z&S Committee Recommendations:	Options for action: • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i>



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 3/24/25

Township: Pleasant

Amendment Title: Manufactured/Mobile Homes, Solar, Wind, Public Notices, Amendments, miscellaneous

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	☒	☒
Date of Request (stated in cover letter)	☒	☒
Description of Zoning Text Amendment Change (s)	☒	☒
Date of Public Hearing (stated in cover letter)	☒	☒
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	☒	☒
Attachment of Zoning Text Amendment with changes highlighted or bolded	☒	☒
Copy of current zoning regulation, or section to be modified for comparison	☒	☒
Non-LUC Member Fee, If applicable	☐ n/a	☐ n/a

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

Date of Request.

March 26, 2025

Logan-Union-Champaign Regional Planning Commission
c/o Aaron Smith
PO Box 219
East Liberty, OH 43319
aaronsmith@lucplanning.com

RE: Zoning Text Amendment Application, Pleasant Township, Logan County
Amendment topic: *Manufactured/Mobile Homes, Solar, Wind, Public notices, miscellaneous*

Dear LUC Regional Planning Commission Committee Members:

The Pleasant Township Zoning Commission met at 6:30 PM on March 26, 2025. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

The proposal amends Article II definitions by amending dwelling related definitions, adds solar related definitions, wind related definitions, modifies public notice requirements in Article V, modifies zoning amendment process in Article VI, and removes Section 1070 and 1230.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are **bolded** and ~~struck~~. Please refer to these attachments for further information.

Public Hearing.

The Pleasant Township Zoning Commission of Logan County, Ohio, will hold a public hearing concerning the proposed amendments at 6:30 PM on April 15, 2025, in the Pleasant Township Hall.

Point of Contact.

Please consider me Pleasant Township's point of contact for this matter. My contact information is below:

Name: Nancy Greene

Email: nancygreene22@gmail.com

Address: Pleasant Township
P.O. Box 136
DeGraff, OH 43318

Phone: 937-539-1915

Sincerely,

Nancy Greene

Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and **added**)

Club. A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal or recreational purpose primarily for the exclusive use of members and their guests.

Conditional Use. A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional Uses permitted in each district are listed in the Official Schedule of District Regulations.

Conditional Use Permit. A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

Density. A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density. The number of dwelling units per acre of the total land to be developed.
2. Net Density. The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Dwelling. Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling Unit. Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

~~Dwelling, Single Family. A dwelling, except (Housing) Manufactured, consisting of single dwelling unit only, separated from other dwelling units by open space.~~

~~Dwelling, Multi Family. A dwelling, except (Housing) Manufactured, consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.~~

~~Dwelling, (Housing) Manufactured. A manufactured building or portion of a building designed for long term residential use. This category includes the following:~~

- ~~(a) Modular Unit. A factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.~~
- ~~(b) Sectional Units. A dwelling made of two or more modular units transported to the homesite, put on a foundation, and joined to make a single dwelling.~~
- ~~(c) Mobile Home. Manufactured housing built on a chassis. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, even when wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.~~

- ~~(d) Mobile Home, Double-Wide or Triple-Wide. A mobile home consisting respectively of two or three sections combined horizontally at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.~~
- ~~(e) Mobile Home, Expandable. A mobile home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.~~

~~This category does not include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory but not erected until at the foundation site.~~

STATEMENT OF INTENT FOR DWELLING (HOUSING), MANUFACTURED DEFINITION

~~Because terms for manufactured housing such as those listed in the above definition titled Dwelling, (Housing) Manufactured tend to change over the years, the purpose and intent of the definition is to draw a distinction between dwellings that are produced and erected in assembly line style at the factory, from those stick-built dwellings (see definition of Stick-built) in which a substantial amount of material and construction labor are brought together in final form at the foundation site. The above explanation is the spirit in which any future interpretation shall be made from this section, no matter what terms for manufactured housing are in vogue at any given time.~~

~~Dwelling, Rooming House (Boarding House, Lodging House, Dormitory). A dwelling or part thereof, other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.~~

Dwelling related definitions:

1. Dwelling, Industrialized Unit. Pursuant to ORC 3781.06 (C) (3) as amended or replaced from time to time, “industrialized unit” means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. “Industrialized unit” includes unit installs on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. “Industrialized unit” does not include a manufactured home as defined herein or a mobile home as defined herein.
2. Dwelling, Manufactured Home. Pursuant to ORC 3781.06(C)(4) as amended or replaced from time to time, “manufactured home” means a building unit or assembly of closed construction that is fabricated in an off site facility and constructed in conformance with the Federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards.

3. , Manufactured Home (Permanently Sited). Pursuant to ORC 3781.06 (C) (6) as amended or replaced from time to time, “permanently sited manufactured home” means a manufactured home that meets all of the following criteria:
 - a. The structure is affixed to a permanent foundation and is connected to appropriate facilities. “Permanent foundation” means permanent masonry, concrete, or a footing or foundation approved by the Ohio Division of Industrial Compliance pursuant to ORC 4781, to which a manufactured home may be affixed; and,
 - b. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least five hundred and fifty (550) square feet; and,
 - c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering; and,
 - d. The structure was manufactured after January 1, 1995; and,
 - e. The structure is not located in a manufactured home park as defined by ORC 4781.01 as amended or replaced from time to time.
4. Dwelling, Mobile Home. Pursuant to ORC 4501.01 (O), “mobile home” means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined herein or as an industrialized unit as defined herein.
5. Dwelling, Multi-Family. A dwelling consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.
6. Dwelling, Rooming House (Boarding House, Lodging House, Dormitory). A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.
7. Dwelling, Single Family. A dwelling (except a manufactured home not permanently sited or a mobile home) consisting of a single dwelling unit only, separated from other dwelling units by open space.

Essential Services. The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more ~~related~~ persons occupying a single dwelling unit and living as a single housekeeping unit.

Farm. A farm is an area of land on which an agricultural product is produced that derives an income and has a cash marketable value for the landowner or tenant.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types. Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

1. Corner lot. A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meeting at the interior angle of less than one hundred thirty-five degrees.
2. Interior Lot. A lot with only one frontage on a street.
3. Through Lot. A lot other than a corner lot with frontage on more than one street or road. Through lots abutting two streets or roads may be referred to as double frontage lots.
4. Reversed Frontage Lot. A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Manufactured and/or Mobile Home Park. Any tract of land, upon which three (3) or more manufactured and/or mobile homes used for habitation are parked, either free of charge or for revenue purposes and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the park. This definition does not include individual lots for the purposes of installation of manufactured and/or mobile homes for habitation.

Manufacturing, Heavy. Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

Manufacturing, Light. Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances.

Mining, Commercial Quarries, Sand and Gravel Pits. Any mining, quarrying or processing of limestone, clay, sand and gravel or other mineral resources. Also referred to as mineral extraction.

~~Mobile Home Park. Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.~~

Motor Vehicle Salvage Facility. Means any establishment or place of business which is maintained, used, or operated for buying or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

10. Sign, Temporary. Means a display sign, banner, or other advertising device constructed on cloth, canvas, fabric, or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
11. Sign, Wall. Means a display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

Service Station. Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

Solar energy related definitions:

- a) Accessory Solar Energy: A solar collection system consisting of one or more roof/~~structure~~building mounted, ~~and/or~~ ground/pole mounted, ~~and/or other structure mounted~~ solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) Principal Solar Energy Production Facility: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. ~~These production facilities primarily produce electricity to be provided off-site. Large-Principal~~ solar energy production facilities consist of one or more ~~roof/building mounted, free-standing~~ ground/pole ~~mounted, and/or roof/other~~ structure mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. ~~These production facilities primarily produce electricity to be provided off-site.~~
- c) Solar Energy Equipment: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, racking, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) Solar Photovoltaic (PV): The technology that uses a semiconductor to convert light directly into electricity.
- e) Clear Fall Zone (Solar Energy): An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

f) Small Solar Facility: Pursuant to ORC 519.213 (A) (2), “Small Solar Facility” means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

e)g) Community Solar: Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, “Community Solar” is considered to be a “Principal Solar Energy Production Facility”.

Solid Wastes. Means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, and slag and other substances which are not harmful or inimical to public health, and includes, but is not limited to, garbage, combustible and non-combustible material, street dirt, and debris. For purposes of this definition, “material from construction operations” and “material from demolition operators” are those items affixed to the structure being constructed or demolished, such as brick, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation material.

Stick-Built. A way of describing any structure built from boards of lumber and other building materials, in which a substantial amount of the required material and construction labor are brought together in final form at the foundation site.

Story. That part of a building between the surface of a floor and the ceiling immediately above.

Storage Facility. A structure which is partially open or fully enclosed in which animals, chattels, or property are stored or kept.

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, and billboards.

Supply Yards. A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pool. A pool, lake, pond or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager. Farm ponds are exempt from this definition.

1. Private. Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
2. Community. Operated with a charge for admission; a primary use.

Toxic or Hazardous Material. Means any substance or mixture by physical characteristic such as flammability, corrosivity, toxicity, reactivity, or infectious characteristics as to pose, a significant or potential hazard to water supplies or human health if such substances were discharged to land or waters of the community or township.

Transient Lodgings. A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined. Examples include: hotel, motel, and apartment hotel.

Transport Terminals. Any business, structure, or premise which primarily receives or distributes goods.

Transportation, Director of. The Director of the Ohio Department of Transportation.

Use. The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Variance. A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Veterinary Animal Hospital or Clinic. A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Wholesale and Warehouse. Business establishments that generally store and sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments or manufacturing establishments.

Wind energy related definitions:

- a. Accessory Structures: Structures such as sheds, storage sheds, pool houses, unattached garages, and barns.
- b. Anemometer: An instrument that measures the force and direction of the wind.
- c. Clear Fall Zone: An area surrounding the wind turbine unit into which the turbine and -or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.
- d. Cowling: A streamlined removable cover that encloses the turbine's nacelle.
- e. Decibel: A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.
- f. Nacelle: Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.
- g. Primary Structure. For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary

structures include structures such as residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.

h. Professional Engineer. A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

i. Megawatt (MW): A unit of power, equal to one million watts.

j. Small Wind Project: Any wind project less than 5MW which includes the wind turbine generator and anemometer.

k. Wind Power Turbine Owner. The person or persons who owns the Wind Turbine structure.

l. Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.

m. Wind Power Turbine Tower Height. The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front. A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear. A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side. A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Certificate. A document issued by the Zoning Inspector authorizing the occupancy or use of a building or structure or the actual use of lots or land in accordance with the previously issued Zoning Permit.

Zoning Permit. A document issued by the zoning inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the use.

- c. That special conditions and circumstances do not result from the actions of the applicant;
- d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection 4 of this section have been met by the applicant.

Section 545 Supplementary Conditions and Safeguards. Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the District involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 546 Public Hearing by the Board of Zoning Appeals. The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

Section 547 Notice of Public Hearing ~~in Newspaper~~. Before holding the public hearing required in Section 546, notice of such hearing shall be given ~~in one newspaper of general circulation in the township at least ten (10) days before the date of said hearing in accordance with ORC 519.15 as amended~~. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

Section 548 Notice to Parties in Interest. Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. Parties of interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. The notice shall contain the same information as required of notices published ~~in newspapers~~ as specified in Section 547.

Section 549 Action by Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 547, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 565 Supplementary Conditions and Safeguards. In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 566 Procedure for Hearing, Notice. Upon receipt of the application for a conditional use permit specified in Section 562 the Board shall hold a public hearing, publish notice ~~in a~~ **newspaper**, and give written notice to all parties in interest according to the procedures specified in Section 546 through 548.

Section 567 Action by the Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 568 Expiration of Conditional Use Permit. A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within one (1) year of the date on which the permit was issued, or if for any reason such use shall cease for more than six (6) months.

ARTICLE VI AMENDMENT

Section 600 Procedure for Amendment or District Changes. This Resolution may be amended utilizing the procedures specified in ORC 519.12 as amended. ~~Sections 601-611, inclusive of this Resolution.~~

Section 601 General. Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

Section 602 Initiation of Zoning Amendments. Amendments to this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By adoption of a resolution by the Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 Contents of Application. Applications for amendments to the Official Zoning Map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name, address, and telephone number of the applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning and such other items as the Zoning Inspector may require;
7. A list of all property owners and their addresses who are within, contiguous to, and directly across the road (street) from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
8. A fee as established by the Township Trustees, according to Section 360.

Section 604 Transmittal to Zoning Commission. Immediately after the adoption of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code, as amended.

~~Section 605 Submission to Director of Transportation. Before any zoning amendment is approved effecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway the Commission shall~~

~~give notice, by registered mail or certified mail to the Director of Transportation. The Commission may proceed as required by law, however, the township trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the trustees that he shall proceed to acquire the land needed, then the trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the trustees shall proceed as required by law.~~

~~Section 606 Recommendation by Zoning Commission. After complying with all the requirements of Chapter 519.12 of the Ohio Revised Code, the Zoning Commission shall transmit its recommendation to the Township Trustees. The Zoning Commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied.~~

~~Section 607 Public Hearing by Township Trustees. Upon receipt of the recommendation from the Zoning Commission, the township trustees shall schedule a public hearing. Said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.~~

~~Section 608 Notice of Public Hearing in Newspaper. Notice of the public hearing required in Section 607 shall be given by the township trustees in compliance with all the requirements of Chapter 519.12 of the Ohio Revised Code as amended.~~

~~Section 610 Action by Township Trustees. Within twenty (20) days after the public hearing required in Section 607, the township trustees shall either adopt or deny the recommendation of the zoning commission, or adopt some modification thereof. In the event the trustees denies or modifies the recommendation of the zoning commission, it must do so by a unanimous vote.~~

~~Section 611 Effective Date and Referendum. Such amendment adopted by the trustees shall become effective thirty (30) days after the date of adoption unless within thirty (30) days after the adoption of the amendment there is presented to the trustees a referendum petition, which is filed in accordance with Section 519.12 of the Ohio Revised Code as amended.~~

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

<u>ZONING DISTRICTS</u> (Symbols as used on the Official Zoning Map)	<u>PERMITTED USES</u> (Accessory uses and essential services are included)	<u>CONDITIONAL USES</u> (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
1	2	3
U-1 RURAL	Orchards, Agriculture, Very low density residential; public & quasi-public uses; Nursery (greenhouse), tree & plant; Manufactured dwelling (modular & sectional units only);	Convenience-type retail; Offices; Public service facility; Animal hospital, clinic; kennel; Home occupation; Commercial & non-commercial recreation; Service business; Craft & hobby shop; Mineral extraction; Light manufacturing; Personal services; Food processing; Manufactured dwelling (Housing) —and/or Mobile home park; Manufactured Home (not permanently sited) and/or Mobile Home individually dwelling (mobile home); Nursery, Nursing Home;
R-1 LOW DENSITY RESIDENTIAL	Single-family dwelling; Manufactured dwelling (modular & sectional units only); Public & quasi-public uses;	Agriculture; Public service facility; Home occupation; Service business; Personal services; Multi-family dwelling; Manufactured- Home (not permanently sited) and/or Mobile Home individually dwelling (mobile home); Convenience-type retail;
B-1 SERVICE BUSINESS	Convenience-type retail; Shopping-type retail; Offices; Service business; Drive-in business; Eating & drinking establishment; Commercial & non-commercial recreation; Personal Services; Club; Supply yard; Food processing; Automotive repair; Single-family dwelling*; Manufactured dwelling (modular & sectional units only); Public & quasi-public uses;	Wholesale & warehousing; Animal hospital, clinic; kennel; Public service facility; Motor vehicle salvage facility; Manufactured Home (not permanently sited) and/or Mobile Home individually dwelling (mobile home); Light manufacturing;
M-1 LIGHT MANUFACTURING	Light manufacturing & directly related offices & retail sales; Supply yards; Printing & publishing; Transport terminals; Wholesale & warehouse facilities; Public & quasipublic uses; Storage facility;	Heavy manufacturing & directly related offices & retail sales; Food processing;

	<u>ACCESSORY BUILDINGS</u>			<u>MINIMUM (MANDATORY)</u>	<u>MINIMUM (MANDATORY)</u>	<u>SIGNS PERMITTED</u>	<u>OTHER PROVISIONS AND REQUIREMENTS</u> (Supplementary regulations, prohibitions, notes, etc.)
	Maximum Height (feet)	Minimum Distance In Feet		<u>OFF-STREET PARKING SPACE</u>	<u>OFF-STREET LOADING SPACE</u>		
		Side lot line	Rear lot line				
	17	18	19	20	21	22	23
U-1	20	10	10	See Article XI	See Article XI	See Article XII	* 550 s.f. for <u>manufactured home (not permanently sited) and/or</u> mobile dwelling;
R-1	15	10	10	See Article XI	See Article XI	See Article XII	Use parenthesis figures if central sewerage is used;
B-1	20	0	0	See Article XI	See Article XI	See Article XII	** Non-residential use cannot be conducted closer than 40 feet to any lot line of a residential structure. *Refer to R-1 regulations.
M-1	25	5	5	See Article XI	See Article XI	See Article XII	

Section 1027 Filing of Location Map. The operator shall file with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.

Section 1028 Information on Operation. The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table as coordinated with the Ohio Division of Water.

Section 1029 Restoration of Mined Area. The operator may be required to file with the Board of Zoning Appeals a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land.

Section 1030 Performance Bond. The operator may be required to file with the Board of Township Trustees a bond, or other surety, payable to the township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The bond or other surety shall be released upon written certification of the zoning inspector that the restoration is complete and in compliance with the restoration plan.

Section 1031 Enforcement Provisions. The zoning inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. The area being mined or that has been mined shall be posted with “No Trespassing” signs to discourage human injury to the general public.

Section 1032 Measurement Procedures. Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York; the Manufacturing Chemists’ Association, Inc., Washington, D.C.; the United States Bureau of Mines and the Ohio Environmental Protection Agency.

Section 1035 Solar Energy Systems (Less than 50MW)

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No solar energy system for a dwelling and its accessory structures shall have a production output of more than 50 kW. For a dwelling with multiple dwelling units, 50 kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 5 MW.

2. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
3. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
- ~~3.4.~~ Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.
- 4.5. ~~Roof/Structure~~ Building mounted accessory solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. ~~Combined-The~~ height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
- ~~5.6.~~ Ground/Pole mounted accessory solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
7. Other structure mounted accessory solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
- ~~6.8.~~ Accessory ~~S~~solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.

~~7.9.~~Accessory ~~S~~solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.

~~8.10.~~ In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:

- a. Height of the proposed solar energy system(s) at maximum tilt.
- b. Evidence of established setbacks of 1.1 times the height of any structure other than a building and its “clear fall zone”.
- c. Proof of notice to the electric utility company regarding the proposal, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use,~~ as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district

Section 1036 Small Wind Projects (Less than 5MW).

I. Wind Projects of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use. Any proposed construction, erection, or siting of a small wind project less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be permitted only as an accessory use in any district if the following conditions are met:

A. The maximum height of any turbine shall be 125 ft. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine’s blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.

B. Setbacks: the following shall apply in regards to setbacks.

1. Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established “clear fall zone”, from all road right-of-way lines and neighboring property lines. A turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall

occurs would be contained solely on the property where the turbine is located at.

C. Maintenance

1. Wind turbines must be maintained in good working order. The owner shall within 30 days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine and associated equipment shall be borne by the owner. A wind turbine is considered abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

D. Decibel Levels

1. Decibel levels shall not exceed those provided by the manufacturer as requested in II Permits, 2., e.

E. Wiring and electrical apparatuses:

1. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground and meet all applicable local, state, and federal codes including the County Building Regulations and Residential Building Code of Ohio.

F. Warning Signs:

1. Appropriate warning signs to address voltage shall be posted (where and meeting sign requirements).

G. Building Permits:

1. All Small Wind Projects and parts thereof shall obtain all applicable Building Permits from the State of Ohio and County Building Regulations where required.

II. Permits

- A. A permit shall be required before construction can commence on an individual wind turbine project.
- B. As part of the permit process, the applicant shall inquire with the County Building Regulations as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.
- C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:
 1. Location of all public and private airports in relation to the location of the wind turbine.
 2. An report that shows:
 - a. The total size and height of the unit
 - b. If applicable, the total size and depth of the unit's foundation structure, as well as soil and bedrock data.

- c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
- d. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
- e. The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.
- f. Hazardous materials containment and disposal plan.
- 3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.
- 4. Evidence of established setbacks of 1.1 times the height of the wind turbine and “clear fall zone.”
- 5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

Section 1040 Roadside Produce Stands. A building for the sale of home-grown produce may be located not less than twenty-five (25) feet from the highway right-of-way if it is a portable building. If portable, it shall be removed from its roadside location during the season that it is not in use as a roadside produce stand. A permanent structure for such use may be constructed, but shall be located not less than fifty (50) feet from the highway right-of-way line. Parking shall be provided off the highway right-of-way.

Section 1050 Storage of Toxic or Hazardous Materials. Except as exempted hereinafter, the storage of toxic or hazardous materials, as determined by the Ohio Environmental Protection Agency, in quantities greater than 55 gallons liquid or 25 pounds dry weight for any one material shall be prohibited.

This section shall not apply to fuels stored in less than 1,100 gallon tanks that conform with the Ohio Fire Code for the purpose of heating buildings and located on site, nor to materials stored for on-site residential, industrial, commercial or agricultural proposes.

“Storage” when used in connection with this section, means the containment of hazardous materials, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of the material.

Section 1060 Effective Screening of Junk Storage and/or Sales of Junk. Junk storage and/or sales of junk shall be effectively screened on all sides by means of walls, fences, or plantings. Walls or fences shall be a minimum of eight (8) feet in height with no advertising thereon. In lieu of such wall or fence, a strip of land not less than fifteen (15) feet in width, planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than six (6) feet in height may be substituted. Storage of materials shall not exceed the height of the screening. Storage of junk shall not be located in any front or side yard.

Section 1067 Mobile Trailers Prohibited For Business, Storage, and Sign Purposes. The use of a mobile home, tractor trailers, box car, or other similar type trailer, container or structure shall not be permitted as an office or business structure, storage facility or sign structure except as stated in Section 1004.

~~Section 1070 Driveway Culvert Requirements. All driveways/lanes adjoining public roadways must have a culvert installed. The size (diameter) will be determined by flow, slope, and grade of land. A minimum length of twenty (20) feet. Where there is no ditch, a culvert will not be required, except at the time the flow and drainage requires a ditch, then a culvert will be required. The property owner will be required to install the culvert at the owner's expense. Material shall be C.M.P. (corrugated metal pipe), R.C. (reinforced concrete) or a type of material of equal strength. Backfill shall be stone or gravel, size #310 or equivalent. The property owner will be responsible for installation and materials.~~

Section 1117 Screening and/or Landscaping. Whenever a parking area is located in or adjacent to a residential district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptable designed fence, or planting screen. Such fence or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence or planting screen will not serve the intended purpose, then no such fence or planting screen and landscaping shall be required.

Section 1119 Minimum Distance and Setbacks. No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit if located on an adjoining lot, unless separated by an acceptably designed screen. In no case shall any part of a parking area be closer than four (4) feet to any established road right-of-way.

Section 1120 Joint Use. Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application of a zoning permit.

Section 1121 Wheel Blocks. Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

Section 1122 Width of Driveway Aisle. Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17½) feet for sixty (60) degree parking and thirteen (13) feet for forty-five (45) degree parking.

Section 1130 Parking Space Requirements. For the purpose of this Resolution, the following parking space requirements shall apply:

TYPE OF USE	PARKING SPACES REQUIRED
Single family or two family dwelling	Two for each unit
Apartments, or multi-family dwellings	Two for each unit
<u>Manufactured homes (not permanently sited) and/or Mobile homes</u>	Two of each unit
Outdoor swimming pools, public or community or club	One for each 5 persons capacity plus one for each 4 seats or one for each 30 sq. ft. floor area used for seating purposes whichever is greater.
Retail establishments	One for each 250 sq. ft. of floor area
Offices, public or professional, administrative or service buildings	One for each 400 sq. ft. of floor area
All other types of businesses or commercial uses permitted in any district	One for each 300 sq. ft. of floor area
Churches	One for each 5 seats

residential shall not exceed fifty (50) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

Section 1212 Signs Permitted in Business and Manufacturing Districts Requiring a Permit. In a business or manufacturing district, one off-premises sign with a total area not exceeding three hundred (300) square feet may be permitted at a single location. Off-premises signs visible to approaching traffic shall have a minimum spacing of not less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district. Off-premises wall signs shall have all structural and supporting members concealed from view.

Section 1220 Temporary Signs. Temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contactors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 1202, the setback requirements in Sections 1240-1243 and, in addition, such other standards deemed necessary to accomplish the intent as stated in Section 1200.

Section 1221 Free-Standing Signs. Free-standing on-premises sign not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet per display area and located not closer than fifteen (15) feet to any adjoining lot line may be placed to serve a business or group of business establishments. There shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building.

Section 1222 Wall Signs Pertaining to Non-Conforming Uses. On-premises wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twelve (12) square feet.

~~Section 1230 Political Signs. No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted more than sixty (60) days before an election. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two (2) weeks following election day.~~

Section 1240 Sign Setback Requirements. Except as modified in Sections 1241 & 1243, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.

Section 1241 Increased Setback. For every square foot by which any on-premises sign exceeds fifty (50) square feet, the setback shall be increased by one-half ($\frac{1}{2}$) foot but need not exceed one hundred (100) feet.

Section 1243 Setbacks for Public and Quasipublic Signs. Real estate signs and bulletin boards for a church, school or any other public, religious or education institution may be erected not less

ARTICLE XIII ~~(MANUFACTURED DWELLING (HOUSING) — MOBILE HOME PARKS) AND (MANUFACTURED DWELLING (HOUSING) — MOBILE HOMES INDIVIDUALLY)~~ MANUFACTURED AND/OR MOBILE HOME PARKS & MANUFACTURED AND/OR MOBILE HOMES INDIVIDUALLY

Section 1300 Intent. It is the intent of this Article to regulate the location of, and to encourage, stabilize and protect the development of well-planned manufactured and/or mobile home parks if one is proposed after the adoption or amendment of this Resolution.

Section 1310 Approval Procedures. Manufactured and/or Mmobile home parks shall be permitted only as a Conditional Use in the U-1 District and shall be developed according to the general standards and regulations stated and referenced in Article 13.

Section 1320 General Standards for Manufactured and/or Mobile Home Parks. A new or expanded manufactured and/or mobile home park shall:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
2. Not to be hazardous or detrimental to existing or future neighboring uses;
3. Be served adequately by essential public facilities and services such as highways, police and fire protection, drainage, refuse disposal, etc.; or that the persons or agencies responsible for the establishment of the proposed park shall be able to provide adequately any such needed services;
4. Be consistent with the intent and purpose of this Resolution;
5. Have vehicular approaches to the property which shall be so designed as not to create an interference with the traffic on surrounding public highways;
6. Not result in the destruction, loss or damage of natural features of major importance.

~~Section 1330 Mobile Home Park Requirements. Mobile home parks shall be developed in accordance with the requirements of Chapter 37-1-27 of the Ohio Sanitary Code adopted by the Public Health Council under the authority of the Ohio Revised Code, Section 3733 and as amended.~~

Section 1341 Manufactured Homes (not permanently sited) and/or Mobile Homes Individually. The following requirements shall apply to manufactured homes (not permanently sited) and/or mobile home dwellings that are placed upon an individual lot in any district: Manufactured and/or Mmobile homes are a Conditional Use in the U-1, R-1, and B-1 Districts.

1. Individual manufactured homes (not permanently sited) and/or mobile homes shall have, using accepted industry measurement standards, a minimum area of five hundred fifty (550) square feet of floor area.
2. ~~The mobile home shall be placed upon a permanent concrete foundation which is below the frost line and is in accordance with the County Auditor's current requirement for real estate tax purposes and which includes at least two tie-down rings. At least two (2) tie down rings are required.~~

3. The manufactured home (not permanently sited) or mobile home shall be skirted entirely enclosing the bottom section, within ninety (90) days after the placement. Skirting shall be constructed of vinyl, aluminum or other suitable material that is designed specifically for skirting.

~~3.4.~~ Will be designed, constructed, skirted, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.



Zoning & Subdivision Committee
Thursday, April 10, 2025

The Zoning and Subdivision Committee met in a regular session on Thursday, April 10, 2025, at 12:19 pm.

Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Tyler Bumbalough, Scott Coleman, Gram Dick, Wes Dodds, Todd Freyhof, Jeff Beard for Ashley Gaver, Steve McCall, Tammy Noble, Bill Narducci for Steve Robinson, Tom Scheiderer, Aaron Smith and Luke Sutton for Jeff Stauch.

Guests: Andrea Hodge; Greg Iiams, Village of Russells Point; Bart Barok, Sox Real Estate; Nick Stauffenger, Kimley-Horn; Mike Yoder, Logan County Commissioner; Eric Petee, ODOT District 6; Tim Cassady, Champaign County Commissioner.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Tyler Bumbalough moved a motion to approve the minutes from the March 13, 2025, meeting as written, and Tom Scheiderer seconded. All in favor.

1. Review of Avondale Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
 - Scott Coleman – When talking about Lot 1 and the right-of-way dedication along the State Route being dedicated as right of way, will it be deeded to the state?
 - Brad Bodenmiller – Yes, I believe that's the intent. The developer is here. Can you confirm it is proposed as dedicated right-of-way?
 - Bart Barok – Yes, that is the intent.
 - Bill Narducci – Has there been any discussion about the access location on State Route 736? Any traffic mitigation?
 - Nick Stauffenger – We pushed it as far north as we could.
 - Bill Narducci – With Darby Braeside, we had that conversation about access and turn lanes. It's a little bit of a different situation when dealing with the State instead of the County.
 - Brad Bodenmiller – We provided copies to ODOT as part of our subdivision distribution, but you should have a follow-up conversation with ODOT before this gets too far in the process.
 - Scott Coleman – ODOT will review the location and require whatever traffic study or mitigation is needed. Keep that in mind.
 - Steve McCall moved a motion to recommend conditional approval of the Avondale Preliminary Plat, and Wes Dodds seconded. All in favor.
2. Review of Curry Farms Phase 1 Final Plat (Union County) – Staff Report by Brad Bodenmiller
 - Brad Bodenmiller reported the developer requested to table. The bonding has not yet been approved.



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

- Steve McCall moved a motion to recommend accepting the developer's request to table the Curry Farms Phase 1 Final Plat, and Luke Sutton seconded. All in favor.
- 3. Review of Curry Farms Phase 2 Final Plat (Union County) – Staff Report by Brad Bodenmiller
 - Brad Bodenmiller reported the developer requested to table. The bonding has not yet been approved.
 - Todd Freyhof moved a motion to recommend accepting the developer's request to table the Curry Farms Phase 2 Final Plat, and Bill Narducci seconded. All in favor.
- 4. Review of Dover Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
 - Steve McCall – Do we have any other townships that have limited common access drives?
 - Gram Dick – Taylor Township does.
 - Brad Bodenmiller – Taylor Township prohibits CADs in the Zoning Resolution and Jerome Township limits CADs to serving a maximum of two lots.
 - Steve McCall – We've had some issues in Champaign County with common access drives.
 - Brad Bodenmiller – I would like to come up with language in the subdivision regulations to require platting of CAD lots, but I don't think I can get all three Engineer Offices on board.
 - Steve McCall provided further information about the Champaign County situation.
 - Luke Sutton – That was our biggest concern, if there's a lot split and there's a sight issue. We may be forced to give access where it's not appropriate.
 - Brad Bodenmiller – From the zoning side, that would require a variance to accommodate additional lots, so there is a process.
 - Tammy Noble – Is a CAD built to the standards of a private drive or shared?
 - Steve McCall – Different counties have different regulations. Steve explained what Champaign County requires.
 - Scott Coleman provided information on Logan County's requirements.
 - Tammy Noble – For the recreational marijuana regulations, is it assumed that if it's not in zoning, it is permitted?
 - Brad Bodenmiller – For a jurisdiction, you can pass a resolution and say it's prohibited. If they don't do that, then it comes back to zoning. Brad provided further information about how it might be interpreted to fit under an existing use like shopping-type retail.
 - Scott Coleman – Is there any recommendation from Union County to the township?
 - Luke Sutton – We don't have any verbiage to mitigate this issue; there will just need to be a variance.
 - Brad Bodenmiller – It would be great if we could come up with language to help provide nuisance in the zoning text with this issue but it starts to move-out of

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- what can and cannot be included zoning. We've recently met twice about this with the township and the Engineer's Office.
- Steve McCall moved a motion to recommend approval of the Dover Township Zoning Text Amendment, and Tyler Bumbalough seconded. All in favor.
5. Review of Jerome Township Parcel Amendment (Union County) – Staff Report by Gram Dick
- Tyler Bumbalough asked about the connection in the back of the lot and Gram Dick provided clarification. There is a cul-de-sac to Brock Road with lots on it. There is a small block at the rear of the lot which connects to Homestead at Scotts Farm. The two residential areas within the proposal are not connected.
 - Tyler Bumbalough asked for the location of the Metro Park which Gram Dick provided.
 - Steve McCall asked about the calculation of the open space, and Brad Bodenmiller provided further information. There are minimum dimensions required for open space but no dimensioning is provided to verify the open space of 40% is provided.
 - Bill Narducci asked if there was a conversation with the Township. Brad Bodenmiller stated that phone calls don't happen too often before drafting of the staff report but do happen after. The reason being, we try to give objective advice on the application as submitted.
 - Tyler Bumbalough moved a motion to recommend denial of the Jerome Township Zoning Parcel Amendment, and Tom Scheiderer seconded. All in favor.
6. Review of Mad River Township Zoning Text Amendment (Champaign County) – Staff Report by Aaron Smith
- Aaron Smith asked the Committee to include an additional modification to keep Section 607 Submission to Director of Transportation. This is an ORC requirement which requires notification to ODOT of rezoning proposals where new highways are proposed.
 - Steve McCall asked about the fence section and styles allowed.
 - Aaron Smith provided information.
 - Tyler Bumbalough asked if there were site distance schematics to control where they build fences, and Aaron Smith responded the text references the visibility at intersections section of the zoning resolution.
 - Steve McCall agreed that keeping the section in about notifying ODOT of rezoning proposals where new highways are proposed is important.
 - Steve McCall moved a motion to recommend approval with modifications of the Mad River Township Zoning Text Amendment as stated in the staff report and the additional modification to not strike Section 607 Submission to Director of Transportation, and Todd Freyhof seconded. All in favor.
7. Review of Pleasant Township Zoning Text Amendment (Logan County) – Staff Report by Aaron Smith



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

- Tom Scheiderer moved a motion to recommend approval with modifications of the Pleasant Township Zoning Text Amendment as stated in the staff report, and Todd Freyhof seconded. All in favor.

The Zoning and Subdivision Committee adjourned at 1:07 pm with Steve McCall moving a motion to adjourn and Todd Freyhof seconding. All in favor.