

Brad Bodenmiller

From: Sara Early <searly@unioncountyohio.gov>
Sent: Wednesday, February 28, 2024 10:02 AM
To: Luke Sutton
Cc: Brad Bodenmiller; Gram Dick
Subject: Variances
Attachments: 2-28-24 R24-107 VARIANCE _001.pdf; 2-28-24 R2-108 VARIANCE _001.pdf; 2-28-24 R24-109 VARIANCE_001.pdf; 2-28-24 R24-110T VARIANC_001.pdf

Good Morning,

Attached are copies of the Coughlin Kia/Commercial Development Variance Requests and the engineer's memorandum you submitted for consideration today.

I will send you journalized copies of the variances when they are available.

Please note the following resolution numbers and status of the variance requests.

Variance #1 – Resolution 24-107 – Approved
Variance #2 – Resolution 24-108 – Approved
Variance #3 – Resolution 24-109 – Approved
Variance #4 – Resolution 24-110T – Tabled

Please do not hesitate to reach out to me if I may be of further assistance.

Thank you!

Sara

Sara Early

Clerk to the Board

Union County Commissioners

233 West Sixth Street, Marysville, OH 43040

Ph.: (937) 645-3110 | Fax: (937) 645-3173 | searly@unioncountyohio.gov





**County Engineer
Environmental Engineer
Building Department**
233 W. Sixth Street
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F 937. 645. 3161
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F 937. 645. 3111

Richwood Outpost
190 Beatty Avenue
Richwood, Ohio 43344

Public Service with integrity

MEMO

C.J. 2024
24-107
Date 2-28-2024

To: Union County Board of Commissioners
From: Luke Sutton, Project Engineer
Date: February 27, 2024
RE: Coughlin Kia and Commercial Development

Commissioners:

The Engineer's office has had a chance to review the following variances for the site:

1. Minimum R/W width to 50' wide from 60' wide – Section 406
 - a. Many similar developments have been granted this variance in the past, and there is nothing specific to this site to give us concern over reducing the R/W width. The Engineer's office is in favor of approval.
2. Permanent Dead End Street – Section 408
 - a. The east west roadway would fall under the classification of a dead end roadway, since it terminates into the Kia Dealership. In practice, this does not function as a dead end since a vehicle can enter the Kia dealership lot, but having a road not connected to R/W on one end does classify it as a dead-end street. The Engineer's office is in favor of approval.
3. Through Lots – Section 413
 - a. Lot 3 will have frontage along both Hyland Croy Rd and the interior north south roadway. In order to limit the access points on Hyland Croy Road to the intersections that have been laid out in studies and our current road widening project, the Engineer's office is in favor of a backage road that will give access to this lot. The Engineer's office is in favor of approval.
4. Extension of roadways to neighboring properties – Section 573
 - a. With the location of the ditch along the property line and the uncertainty of where a future access could be accomplished when the property to the south develops, we are in favor of keeping the options open for where this connection can occur. The Engineer's office is in favor of approval.

Jeff Stauch, PE/PS
County Engineer | Environmental Engineer

Bill Narducci, PE
Assistant County Engineer

Sam Cronk, CBO
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Coughlin Kia and Commercial Development
Statement in Support of Request for Variances
From the Union County Subdivision Regulations

February 16, 2024

Coughlin Investments, Ltd. (the “Applicant”) has filed a rezoning application with Jerome Township pertaining to 21.7+/- gross acres located to the southwest of and adjacent to the intersection of Weldon Road and Hyland-Croy Road, extending westward to U.S. Route 33. If approved by the Township and after receiving final plat approval from the Logan-Union-Champaign Regional Planning Commission (LUC), it is anticipated that approximately 1.5 acres of the site will be located within existing or future right-of-way, for a net of 20.2 acres. The net acreage will be within two subareas. Subarea 1 consists of 11.8+/- acres located within the western two-thirds (approximately) of the site and will accommodate the development and operation of a Kia automobile dealership for vehicle sales, servicing, parts sales, and related uses. Subarea 2 consists of the balance of the property including 8.4+/- acres bounded by Weldon Road on the north, Hyland-Croy Road on the east, the Gordon Tri-County Ditch on the south, and Subarea 1 on the west. It is intended to facilitate the development and operation of retail, restaurant, personal services, and other like uses. The accompanying plan demonstrates the proposed layout of the lots and vehicular circulation system in the proposed Planned District.

The rezoning, once approved, will rezone a portion of an existing Planned Development District known as Hall’s Corner. The southern boundary of the subject property runs along and near the existing Gordon Tri-County Ditch. Portions of the existing zoning district located to the south of the ditch will maintain current use and development rights and are not being rezoned. The pending rezoning is intended to provide the right for the automobile dealership to replace currently permitted and more intense shopping center uses in Subarea 1. Subarea 2 will facilitate similar uses as are allowed under the present zoning classification. It is delineated in the accompanying plan as containing two parcels, but may be re-subdivided or further subdivided in the future as the market brings forth users.

Given the unique nature of the proposed development, the Applicant has filed this request for variances from the Union County Subdivision Regulations (the “Regulations”) in order to facilitate a development project with efficient means of internal vehicular and pedestrian access and to create parcels to facilitate future development. The proposed development includes an internal private road system. There is one vehicular access point proposed just to the east of the western terminus of Weldon Road as it exists, from which a commercial drive will be extended into Subarea 1 to provide direct access to the automobile dealership. A second vehicular access point is provided on Weldon Road at its intersection with the public street known as Jerome Grand Drive. A private road will be extended southward to a second private road that will extend westward through Subarea 2 and will connect to Subarea 1. From that internal intersection of private roads extending southward to the southern boundary of the subject a property, an

easement will be provided in favor of property located off-site and to the south of the Gordon Tri-County Ditch, with construction of that stretch of the private road to be constructed at such time as the off-site property develops. The north-south portion of the private road system will be permitted to be extended southward across the existing ditch along the southern boundary of the subject property should development in the area south of the ditch occur in the future, and an easement will be created in order to facilitate this future extension. In addition, a reciprocal easement agreement will be recorded along with the final plat (once approved) to memorialize the access rights and maintenance obligations of all current and future owners within the planned district. Private roads will be built to public specifications as detailed in the Regulations, subject to any approved variances as requested with this application.

Section 705 of the Regulations states that “[t]he County Commissioners may approve variances or exceptions to these regulations for the following reasons:

1. The existence of exceptional topographic or other physical conditions,
2. Strict application of these regulations would result in extraordinary and unnecessary hardship, or
3. The purpose and intent of these regulations can be equally or better served.

Variance Request #1: Applicant requests a variance from Section 406 of the Regulations to reduce the minimum right-of-way width for all private roads within the development from 60 feet to 50 feet.

Section 406 is reproduced here:

Section 406 Road or Street Right-of-Way and Pavement Widths. Minimum right-of-way widths shall be not less than the following table.

Classification	Minimum Right-of-Way Widths (feet)
Major Arterial Road	as required
Minor Arterial Road	120
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Minor Collector Road	80
Collector Street	60
Local Street or Road	60

The amount of traffic that will use the private road system will be less than a traditional public street. The purpose and intent of the Regulations is significantly better served by providing internal routes of circulation within the site to minimize the number of access points on Weldon Road and Hyland-Croy Road and to encourage slower-moving traffic to exit those streets to reach destinations within the site. Given the lower volumes of traffic that will use these

roads, broader purposes are served such as encouraging slower vehicle speeds and getting traffic off of major streets.

Variance Request #2: Applicant requests a variance from Section 406⁸ of the Regulations to allow the proposed private road extending westward through Subarea 2 to permanently have a dead-end within Subarea 1 as shown on the accompanying plan.

Section 408 of the Regulations reads:

3. **Permanent dead end streets** shall not be permitted. Temporary dead end streets shall be permitted only as a part of a continuing street plan subject to extension into undeveloped acreage. Temporary dead end streets shall extend to the boundary of such undeveloped acreage or as required by the Regional Planning Commission. The Regional Planning Commission may limit the length of such temporary dead end streets. The Regional Planning Commission may require a street along the boundary between the proposed subdivision and the undeveloped acreage to provide for future development.

The subject property is uniquely positioned next to U.S. Route 33, which basically ensures any public street or private road will never extend through the site westward beyond its boundaries, as it would require an overpass or underpass to cross the highway. Weldon Road, which is presently built to a point that is well short of the highway and has (or will have) additional right-of-way available extending westward from its current terminus, would be the logical candidate for an extension over or under U.S. Route 33, if it were ever to happen. The purpose and intent of Section 406 is to promote connectivity for the street system. Providing this connectivity using Weldon Road (should it become desirable in the future) serves the public more efficiently than having traffic cut through a private development.

The westernmost entrance into the site from Weldon Road is not a dead end street under the Regulations, as it is merely a driveway providing access to the proposed automobile dealership through a parking lot. As to Weldon Road, 20 feet of right-of-way will be dedicated to the appropriate jurisdiction as part of a final plat, with this 20 feet being in a location which is already burdened a street or highway easement.

Variance Request #3: Applicant requests a variance from Section 413.4 of the Regulations to allow the lots labeled as Lot 2 and Lot 3 in the accompany in plan to be Through Lots and to allow these lots' frontages on the private road interior to the subject property to be treated as side yards or rear yards (as applicable) for purposes of determining required setbacks from that road.

Section 413.4 of the Regulations provides: "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." Article 9 of the Regulations defines a "Through Lot" as "[a]ny interior lot having frontage on two, more or less, parallel streets as distinguished from a corner lot. All yards of such lots adjacent to streets shall be considered

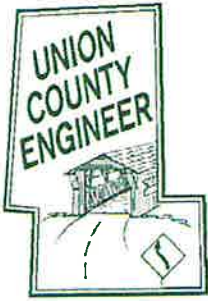
frontal, and front yard set backs shall be provided as required.” Furthermore, that article defines an “Interior Lot” as “[a]ny lot other than a corner lot.”

Lot 3 will have frontage on Hyland-Croy Road and, once constructed, on the private road that will extend southward from the intersection of Weldon Road and Jerome Grand Drive. Furthermore, Lot 2 will have frontage on both Weldon Road and, once constructed, on the east-west private road that is proposed to be extended into the property from Hyland-Croy Road. Strict application of this regulation would result in extraordinary and unnecessary hardship. Without the variance, what will be Subarea 2 of the proposed development could only exist as a single parcel. Given the subject property’s location at a prominent intersection at Weldon Road and Hyland-Croy Road and near to a major highway, the site has a high likelihood of being developed with at least two (and maybe more) uses on separate parcels. Therefore, without the variance the range of uses for this portion of the property are minimized.

Variance Request #4: Applicant requests a variance from Section 573 of the Regulations to delay the extension of the proposed north-south private road internal to the site beyond its intersection with the proposed east-west private road internal to the site and to the southern boundary of the subject property until such time as development occurs on property to be owned by other located to the south of the Gordon Tri-County Ditch.

Section 573 of the Regulations provides that “[t]he subdivider shall extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Regional Planning Commission.” Applicant requests that the Regional Planning Commission determine that the portion of the north-south road between the east-west road and the southern boundary of the subject property be delayed until such time as the property to the south of the Gordon Tri-County Ditch, which will not be owned by the Applicant, begins to develop that property in a manner that provides for that private road extension. Furthermore, should development to the south not desire or be required to connect to the north-south private road, this requirement shall be waived.

With this request, the purpose and intent of the Regulations can be equally or better served than if Section 573 is imposed. Applicant agrees to record, along with the recording of an approved final plat, a written declaration of easement to run in favor of the property directly to the south of the Gordon Tri-County Ditch, which allows the owner(s) of such property to construct and use an extension of the private road southward. Given that the proposed southern property line of Applicant’s site runs along the ditch, construction of the private road to that ditch creates complications in terms of construction and obtaining the right to cross all or some portion of the ditch. The better course of action is to allow for the future extension, but allow a decision on its construction to be made once it is determined if it is needed or desired at the time a development proposal for the property to the south of the ditch is known. Such a proposal may not require a connection to the private road system on Applicant’s site, in which case the construction of the private road within the proposed easement area would serve no purpose. The decision to construct the extension will be a more informed one once details for development to the south are known.



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MEMO

C.J. 2024
24-108
Date 2-28-2024

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From: Luke Sutton, Project Engineer
Date: February 27, 2024
RE: Coughlin Kia and Commercial Development

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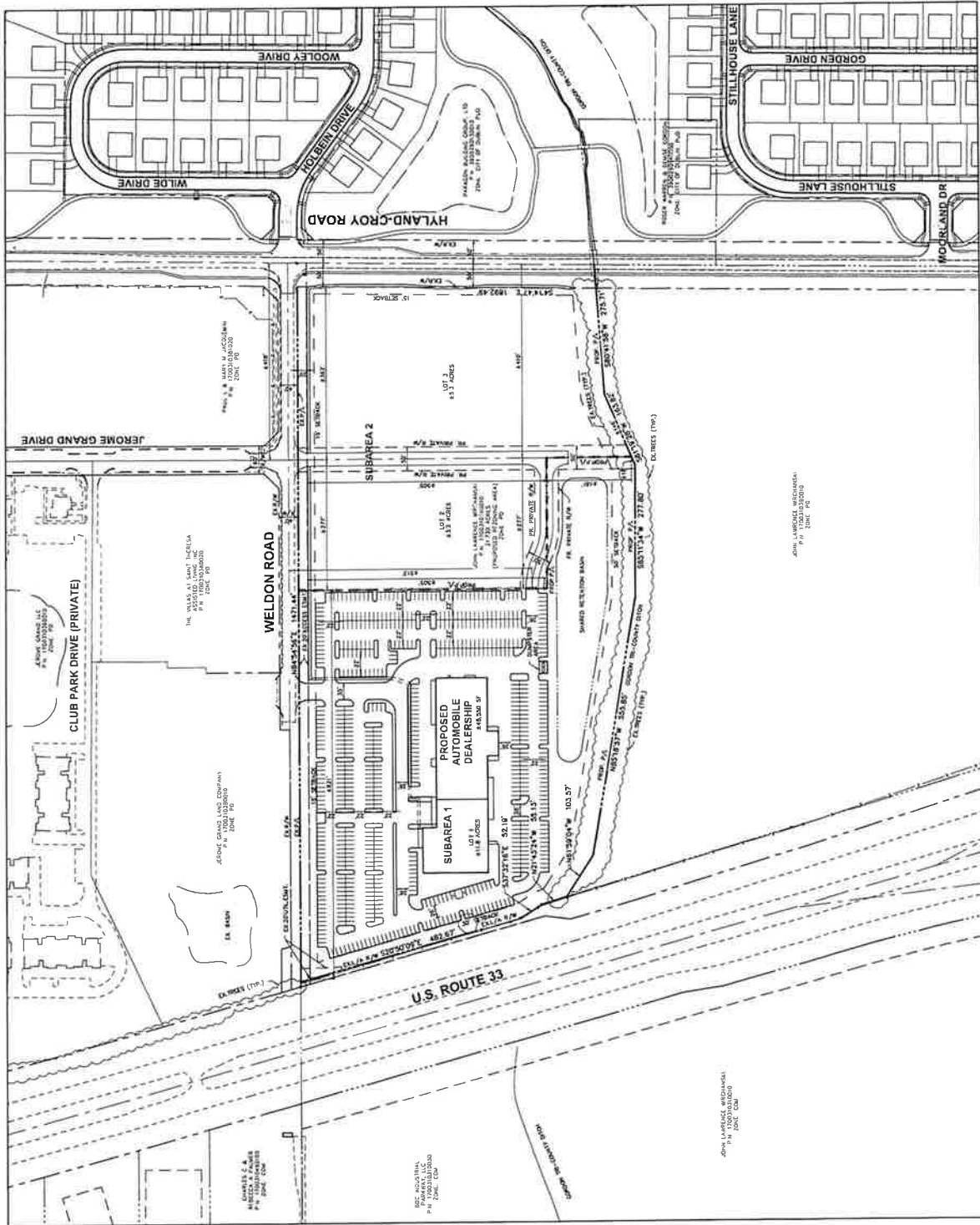
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ADVANCED CONCEPTS ARCHITECTURE
 CONCEPTUAL SITE PLAN
 FOR
 PROPOSED
 WIRCHANSKI PROPERTY

PLAN PREPARED BY:
 ADVANCED CONCEPTS ARCHITECTURE
 1001 W. 10TH STREET, SUITE 100
 WIRCHANSKI, IOWA 50598
 PHONE: 515-281-1111
 FAX: 515-281-1112
 WWW.ACA-DESIGN.COM

SCALE: 1/4" = 1'-0"
 SHEET 1 / 1





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Public Service with integrity

MEMO

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24-109
Date 2-28-2024

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roads, broader purposes are served such as encouraging slower vehicle speeds and getting traffic off of major streets.

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The subject property is uniquely positioned next to U.S. Route 33, which basically ensures any public street or private road will never extend through the site westward beyond its boundaries, as it would require an overpass or underpass to cross the highway. Weldon Road, which is presently built to a point that is well short of the highway and has (or will have) additional right-of-way available extending westward from its current terminus, would be the logical candidate for an extension over or under U.S. Route 33, if it were ever to happen. The purpose and intent of Section 406 is to promote connectivity for the street system. Providing this connectivity using Weldon Road (should it become desirable in the future) serves the public more efficiently than having traffic cut through a private development.

The westernmost entrance into the site from Weldon Road is not a dead end street under the Regulations, as it is merely a driveway providing access to the proposed automobile dealership through a parking lot. As to Weldon Road, 20 feet of right-of-way will be dedicated to the appropriate jurisdiction as part of a final plat, with this 20 feet being in a location which is already burdened a street or highway easement.

Variance Request #3: Applicant requests a variance from Section 413.4 of the Regulations to allow the lots labeled as Lot 2 and Lot 3 in the accompany in plan to be Through Lots and to allow these lots' frontages on the private road interior to the subject property to be treated as side yards or rear yards (as applicable) for purposes of determining required setbacks from that road.

Section 413.4 of the Regulations provides: "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." Article 9 of the Regulations defines a "Through Lot" as "[a]ny interior lot having frontage on two, more or less, parallel streets as distinguished from a corner lot. All yards of such lots adjacent to streets shall be considered

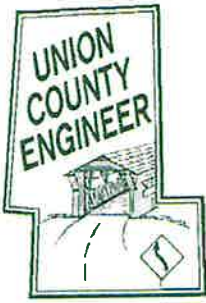
frontal, and front yard set backs shall be provided as required.” Furthermore, that article defines an “Interior Lot” as “[a]ny lot other than a corner lot.”

Lot 3 will have frontage on Hyland-Croy Road and, once constructed, on the private road that will extend southward from the intersection of Weldon Road and Jerome Grand Drive. Furthermore, Lot 2 will have frontage on both Weldon Road and, once constructed, on the east-west private road that is proposed to be extended into the property from Hyland-Croy Road. Strict application of this regulation would result in extraordinary and unnecessary hardship. Without the variance, what will be Subarea 2 of the proposed development could only exist as a single parcel. Given the subject property’s location at a prominent intersection at Weldon Road and Hyland-Croy Road and near to a major highway, the site has a high likelihood of being developed with at least two (and maybe more) uses on separate parcels. Therefore, without the variance the range of uses for this portion of the property are minimized.

Variance Request #4: Applicant requests a variance from Section 573 of the Regulations to delay the extension of the proposed north-south private road internal to the site beyond its intersection with the proposed east-west private road internal to the site and to the southern boundary of the subject property until such time as development occurs on property to be owned by other located to the south of the Gordon Tri-County Ditch.

Section 573 of the Regulations provides that “[t]he subdivider shall extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Regional Planning Commission.” Applicant requests that the Regional Planning Commission determine that the portion of the north-south road between the east-west road and the southern boundary of the subject property be delayed until such time as the property to the south of the Gordon Tri-County Ditch, which will not be owned by the Applicant, begins to develop that property in a manner that provides for that private road extension. Furthermore, should development to the south not desire or be required to connect to the north-south private road, this requirement shall be waived.

With this request, the purpose and intent of the Regulations can be equally or better served than if Section 573 is imposed. Applicant agrees to record, along with the recording of an approved final plat, a written declaration of easement to run in favor of the property directly to the south of the Gordon Tri-County Ditch, which allows the owner(s) of such property to construct and use an extension of the private road southward. Given that the proposed southern property line of Applicant’s site runs along the ditch, construction of the private road to that ditch creates complications in terms of construction and obtaining the right to cross all or some portion of the ditch. The better course of action is to allow for the future extension, but allow a decision on its construction to be made once it is determined if it is needed or desired at the time a development proposal for the property to the south of the ditch is known. Such a proposal may not require a connection to the private road system on Applicant’s site, in which case the construction of the private road within the proposed easement area would serve no purpose. The decision to construct the extension will be a more informed one once details for development to the south are known.



County Engineer
Environmental Engineer
Building Department
233 W. Sixth Street
Marysville, Ohio 43040
P 937. 645. 3018
F 937. 645. 3161
www.unioncountyohio.gov/engineer

Marysville Operations Facility
16400 County Home Road
Marysville, Ohio 43040
P 937. 645. 3017
F 937. 645. 3111

Richwood Outpost
190 Beatty Avenue
Richwood, Ohio 43344

Public Service with integrity

MEMO

C.J. 2024
24-110T
Date 2-28-2024

To: Union County Board of Commissioners
From: Luke Sutton, Project Engineer
Date: February 27, 2024
RE: Coughlin Kia and Commercial Development

Commissioners:

The Engineer's office has had a chance to review the following variances for the site:

1. Minimum R/W width to 50' wide from 60' wide – Section 406
 - a. Many similar developments have been granted this variance in the past, and there is nothing specific to this site to give us concern over reducing the R/W width. The Engineer's office is in favor of approval.
2. Permanent Dead End Street – Section 408
 - a. The east west roadway would fall under the classification of a dead end roadway, since it terminates into the Kia Dealership. In practice, this does not function as a dead end since a vehicle can enter the Kia dealership lot, but having a road not connected to R/W on one end does classify it as a dead-end street. The Engineer's office is in favor of approval.
3. Through Lots – Section 413
 - a. Lot 3 will have frontage along both Hyland Croy Rd and the interior north south roadway. In order to limit the access points on Hyland Croy Road to the intersections that have been laid out in studies and our current road widening project, the Engineer's office is in favor of a backage road that will give access to this lot. The Engineer's office is in favor of approval.
4. Extension of roadways to neighboring properties – Section 573
 - a. With the location of the ditch along the property line and the uncertainty of where a future access could be accomplished when the property to the south develops, we are in favor of keeping the options open for where this connection can occur. The Engineer's office is in favor of approval.

Jeff Stauch, PE/PS
County Engineer | Environmental Engineer

Bill Narducci, PE
Assistant County Engineer

Sam Cronk, CBO
Chief Building Official

Coughlin Kia and Commercial Development
Statement in Support of Request for Variances
From the Union County Subdivision Regulations

February 16, 2024

Coughlin Investments, Ltd. (the “Applicant”) has filed a rezoning application with Jerome Township pertaining to 21.7+/- gross acres located to the southwest of and adjacent to the intersection of Weldon Road and Hyland-Croy Road, extending westward to U.S. Route 33. If approved by the Township and after receiving final plat approval from the Logan-Union-Champaign Regional Planning Commission (LUC), it is anticipated that approximately 1.5 acres of the site will be located within existing or future right-of-way, for a net of 20.2 acres. The net acreage will be within two subareas. Subarea 1 consists of 11.8+/- acres located within the western two-thirds (approximately) of the site and will accommodate the development and operation of a Kia automobile dealership for vehicle sales, servicing, parts sales, and related uses. Subarea 2 consists of the balance of the property including 8.4+/- acres bounded by Weldon Road on the north, Hyland-Croy Road on the east, the Gordon Tri-County Ditch on the south, and Subarea 1 on the west. It is intended to facilitate the development and operation of retail, restaurant, personal services, and other like uses. The accompanying plan demonstrates the proposed layout of the lots and vehicular circulation system in the proposed Planned District.

The rezoning, once approved, will rezone a portion of an existing Planned Development District known as Hall’s Corner. The southern boundary of the subject property runs along and near the existing Gordon Tri-County Ditch. Portions of the existing zoning district located to the south of the ditch will maintain current use and development rights and are not being rezoned. The pending rezoning is intended to provide the right for the automobile dealership to replace currently permitted and more intense shopping center uses in Subarea 1. Subarea 2 will facilitate similar uses as are allowed under the present zoning classification. It is delineated in the accompanying plan as containing two parcels, but may be re-subdivided or further subdivided in the future as the market brings forth users.

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CONCEPTUAL SITE PLAN
FOR
WIRCHANSKI PROPERTY



ADVANCED
CIVIL DESIGN
11111 W. 12th Street, Suite 100
Overland Park, KS 66204
Phone: 913.241.7500
Fax: 913.241.7505

PLAN PREPARED BY:
SCALE: 1" = 100'
DATE: 02/17/2014

SHEET 1 / 1

