

## Zoning Commission

1 **Rezoning Application #ZON-20-03**

January 26, 2021

2  
3 **Rezoning Application #ZON-20-03, Kerbler Farms LLC/Kerbler Builders,** Requesting an amendment  
4 of +/-105.76 acres of the currently effective development plan under application #13-0305 known as the  
5 Slate Ridge Single Family Planned Residential District (SFPRD). The subject properties are currently  
6 owned by Kerbler Farms LLC and Kerbler Builders and is located at the northeast corner of  
7 US23/Columbus Pike & Home Road with parcel numbers 318-230-01-001-000(part), 318-220-04-026-  
8 000,318-210-03-023-000, 318-240-02-001-000(part), 318-213-15-013-000 & 318-213-15-013-001.  
9

10 Roll Call: Adam Pychewicz, Dennis McNulty, Todd Dove, Leslie Pierce, Barrett Ault

11  
12 Township Officials Present: Michele Boni, Development and Zoning Director

13  
14 Ms. Boni: Before we begin, want to recognize that this is Todd Dove's and Barrett Ault's last application,  
15 so we thank them for their participation on the Zoning Commission. You'll be missed, and I hope you  
16 still stay involved with the Township.  
17

18 Mr. Pychewicz administered the oath to those wishing to speak this evening. Anyone who intends to  
19 testify, please raise your right hand and be sworn. Do you solemnly swear that the testimony that you  
20 shall give shall be the truth, the whole truth, and nothing but the truth? State "I do" and when it's your  
21 turn to offer testimony, please state your full name, address, and affirm that you've been sworn in.  
22 Anyone who intends to offer comments or testimony through the online chat room function also needs to  
23 be sworn in remotely. Before your initial comment, please type your name, address, and the words "I  
24 affirm" to indicate that you solemnly swear that the testimony that you are offering is the truth, the whole  
25 truth, and nothing but the truth.

### 26 **MOTION TO RETURN FROM RECESS FOR REZONING APPLICATION #ZON-20-03**

27 Mr. Dove made a motion to return from recess for Rezoning Application #ZON-20-03, Kerbler Farms,  
28 LLC/Kerbler Builders; seconded by Mr. McNulty.

29 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Dove-yes, Mr. Pierce-yes, Ms. Ault-yes  
30 Motion carried.

31 Ms. Boni: We received a revised submittal on January 19, 2021. I believe the Commission and Staff had  
32 proper time to review. I'd let the applicant open up if they have any discussion they want to have on the  
33 changes they've made based on our comments from the initial hearing and then I'll let you know if there's  
34 any public comment.

### 35 **APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS**

36  
37 Andrew Wecker, Manos, Martin & Pergram, 15 N. Sandusky Street, Delaware, Ohio 43015. Would you  
38 like to start by going through our stipulations or through our memo?  
39

40 Ms. Boni: I drafted a recommendation for approval and had 6 stipulations on it for the Board's consider-  
41 ation. Obviously those can be removed or modified. Also, I colored the memo showing what I thought  
42 was fully addressed, not addressed or partially addressed.  
43

44 Mr. Pychewicz: Andy, if you can summarize the changes you made that pertain to our comments from the  
45 last meeting, and then go through the stipulations and provide comment for those.  
46

## Zoning Commission

47 Mr. Wecker: Some of the comments I'll allow to be addressed either by Todd Faris or Jeff Guggenbiller  
48 but any of the things in blue, I don't know that I need to discuss those further. I did want to highlight that  
49 we added some language with regard to Green Meadows Drive in the sense that we don't know what the  
50 County is going to do on that, but a neighbor raised some questions related to that and we'll look forward  
51 to what the County decides, and we'll cooperate with the County and Township when the time comes for  
52 that. The rest of the comments, the ones in red I was going to defer to either Todd Faris, the Planner, or  
53 Jeff Guggenbiller, one of the civil engineers, to speak to those.

54  
55 Todd Faris, Faris Planning & Design, 243 N. Fifth Street, Columbus, Ohio 43215, going through the  
56 bullet points from Michele, there's still a discrepancy between the parking spaces on the plan and the text.  
57 We are providing a minimum of 4 parking spaces per unit based on 2 parking spaces in front of each  
58 garage, plus a 2 car garage, plus we have parking located on site in designated areas, and we will line  
59 those two items up to each other within the text and exhibits. I think Exhibit A1 calls for 3 parking spaces  
60 per unit were required but we'll make it marry up to that. The second item from Michele confirms  
61 proposed setbacks, and it stated that A1 is inconsistent with the development text. What we have done as  
62 of our last hearing is to increase our rear yard setbacks on all these units. Along the north, those setbacks  
63 have gone to 25' along the Chakroff property, and the center of that setback has been increased to 35'.  
64 Where we have units that back up to other units, before we had a 20' separation; we're at 40' now. Where  
65 we're backing up to open space, we don't know what that rear setback is because there really isn't a  
66 property line. So 20' is the minimum that we would have.

67  
68 Ms. Boni: For the Chakroff property, the rear yard is 75'?

69  
70 Mr. Faris: 35'.

71  
72 Ms. Boni: Then I think it was the Viers' property that has the 20' setback.

73  
74 Mr. Faris: Correct.

75  
76 Ms. Boni: I brought that up as a stipulation. I know the Zoning Commission was concerned with the rear  
77 yard setbacks based on our last discussion and the applicant increased them. That is something we can  
78 remove from the stipulations but I know that was something that was a concern along the properties.

79  
80 Mr. Faris: We looked at how we could increase those and made those modifications. The next item was in  
81 relation to the minimum floor area to match what was originally approved. We adjusted our minimum  
82 floor area to a 1300 square foot minimum in both sub-areas. There's one section in the text farther in the  
83 back that needs to be cleaned up. It still holds remnants of the old zoning text, and I think that's what  
84 Michele is commenting on in her comment. We need to clarify that. #6 I just talked about in response to  
85 the setbacks. The next item, clarify and modify response to reflect what meetings and correspondence  
86 occurred for this amendment. I'll have to defer that one to either Skip or Jim; I haven't been involved in  
87 those.

88  
89 Ms. Boni: The language on that never changed in the text when you went through this amendment, so I  
90 didn't know if there was any different communication or did you actually meet with all those entities and  
91 have neighborhood meetings for this amendment?

92  
93 Mr. Faris: Not for this amendment. That text carried over from the original zoning; so I don't believe  
94 there's been any other current meetings. They may have met with somebody late last year, but I'm not  
95 sure.

96

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97 Skip Weiler, Robert Weiler Company, 10 N. High Street, Suite 401, Columbus, Ohio, I met with one of  
98 the neighbors, Mr. Chakroff, but I think that was the only meeting we had with neighbors.  
99

100 Mr. Faris: The next item on Michele's list, Item 12, says provide a consistent tree line or landscape buffer  
101 along the northern side of both the SFPRD east and west, and a particular tree line is not provided for  
102 Units 115 to 124. That was intentional. That land behind those units is already developed, already an  
103 SFPRD, that's the Ravines at Lewis Center. If we provided tree buffer in that area, we're blocking views  
104 from our units into that ravine area as well. There isn't any more development that's going to be  
105 happening in that area, so we didn't think that was necessary. We did put it on the other units knowing  
106 that that piece of property is still under an FR-1 designation and will probably be developed, and that  
107 made sense. We hope the Zoning Commission will agree with us on that synopsis, but there's a ravine  
108 just to the north of that, and it would be a shame to block a view of such a beautiful feature in that area  
109 since it's always going to remain open space. Item 13, provide the proposed setbacks for the monument  
110 signs in the development plan and text. The text wasn't updated; we did update the plans. It was like 22'  
111 in one area and 18' in the other, but we will add that to the zoning text as well.  
112

113 Ms. Boni: Just for the record, both of those monument signs comply with our sign standards.  
114

115 Mr. Faris: Item 14 was to lessen the amount of divergences requested. We've reduced them some but  
116 there's just a certain amount of them that we're going to have to ask for given this product type compared  
117 to the traditional single family. That goes over the modifications that we made to the plans, the text and  
118 the comments that Michele had brought forward from our last meeting.  
119

120 Mr. Wecker: One of the stipulations related to the tree line you just discussed, and that's one of the  
121 stipulations we'd like to have removed.  
122

123 Mr. Dove: Does that map show how far away that development is from that Epcon development? It's not  
124 up to that property line because they have a ravine there as well, correct?  
125

126 Mr. Faris: Correct, and I'm going by memory, but we put dimensions on the backs of those units of 200  
127 and some odd feet from the nearest unit to that southern property line.  
128

129 Ms. Boni: It's significant.  
130

131 Mr. Faris: And it's a beautiful ravine.  
132

133 Mr. Todd: So we don't need trees to block trees.  
134

135 Ms. Boni: If the Commission is alright with that, I'll strike that one out of the stipulations for  
136 recommendation.  
137

138 Mr. Dove: I'm personally alright with taking it out.  
139

140 Ms. Ault/Mr. McNulty: I'm okay with taking it out too.  
141

142 Mr. Faris: We needed to add a secondary access on that far eastern property based on comments from the  
143 Fire Department, so we did that but in so doing that we also lost a unit as well. They wanted two ways  
144 into that property, so we provided that and the only way to do that was to omit a unit.  
145

146 Mr. Dove: We talked about the four parking spaces per unit. I'm assuming on the dimensions we added  
147 20' from the front of the garage to the inside face of sidewalk?

## Zoning Commission

148 Mr. Faris: Yes.

149

150 Mr. Dove: And I think there's still some text regarding the number, some say 2 car garage maximum,  
151 some say 2 car minimum, some say eight 2 car garage; I'm assuming that's a 2 car garage.

152

153 Mr. Faris: That's our intent. We can go through and make sure that all jives; I thought we caught it.

154

155 Mr. Dove: There were three different items. I think we have a stipulation or there's something about the  
156 40' height on Page 38, and I believe that was for the walk out basement units.

157

158 Mr. Faris: Correct.

159

160 Mr. Dove: Does that really need to be a stipulation, Michele, because I always thought we took the height  
161 from the front 15' from the stoop so we didn't have to worry about walk out basements.

162

163 Mr. Faris: I thought your Code said 15' out from the highest portion of the building. If it says the other  
164 one, then we don't need it, but that's our concern, that our walk out units might exceed that 40' or get to  
165 40'. We reviewed your Code, and I think it didn't specify that it was the front.

166

167 Ms. Boni: It just says from finished grade and not closer to 15' to the exterior wall of the structure.

168

169 Mr. Faris: We want to also define that as being at the structure because these units backing up to the  
170 ravine, the ground is still falling away from the units. I can't tell you where it is 15' from the unit.

171

172 Ms. Boni: Just to go back to the garages, you are proposing to have a maximum of 2 car garages; there  
173 will not be 3 car garages allowed.

174

175 Mr. Faris: That is what we have discussed internally as a team, and I questioned that myself, but that's  
176 what they want to do is limit it to 2 car garages.

177

178 Mr. Dove: There will be eight 2 car garages, not a maximum because to allow them to do a 1 car garage,  
179 there will be a 2 car garage.

180

181 Mr. Faris: Correct; everything will be a 2 car garage, a maximum of 2.

182

183 Ms. Boni: I would prefer to be consistent in the text, so are we saying a maximum of 2 car garages?

184

185 Mr. Faris: Do you guys really care if there's a 3 car garage in there?

186

187 Mr. Dove: I don't know how you're going to do your setbacks.

188

189 Mr. Weiler: I think it might be better to say minimum that way you're guaranteed a 2 car garage. I don't  
190 know how they could fit a 3 car garage but if there's a minimum, you know you're going to have at least  
191 2 but if it's more than 2, it's going to have to meet the setbacks.

192

193 Ms. Boni: There would never be a single car garage then. The 2 car garage plus the 2 spaces on your  
194 driveway would satisfy the 4 parking space requirement.

195

196 Mr. Faris: I prefer to just say we'd have a minimum of 2 and just strike anything about the 3.

197

198 Mr. McNulty: On Page 13 it says units shall be restricted to 2 car garages maximum.

## Zoning Commission

199 Mr. Faris: That's why I was asking if it matters to you because we do have some corner lots that are pretty  
200 big that you could put a third car garage on it, not that they offer them but it's possible, and we're fine  
201 with keeping it also.

202  
203 Mr. McNulty: That really pushes things. You've got 3 car garages for a condo.

204  
205 Mr. Faris: Yes it does, but I don't see it happening.

206  
207 Mr. Pierce: I think the 2 car garage maximum is reasonable; that's what you had originally.

208  
209 Mr. Faris: We'll just say a 2 car garage and that says it all.

210  
211 Mr. Dove: Where did we end up with density?

212  
213 Mr. Faris: Originally it was 2.08 and it dropped down to 2.07 with the loss of that unit.

214  
215 Mr. Todd: And that's taking the entire property?

216  
217 Mr. Faris: Correct.

218  
219 Ms. Boni: The rear yard setback stipulation, I'm not sure if the Commission is concerned with that but for  
220 the west portion it's a 25' setback along the northern properties but for the east portion it's a 20' setback.  
221 Is there any concern?

222  
223 Mr. McNulty: What is going in behind those condos with that 20' setback? Is that just open property  
224 now?

225  
226 Mr. Faris: The bigger portion in the center is. There might be an existing residence to the very north on  
227 that image that Michele has up there right now.

228  
229 Mr. Dove: I don't know why we would require 35' everywhere else and then this would be 20'.

230  
231 Mr. McNulty: That's been the standard for Orange Township, and I think there has to be a real reason for  
232 this to be 20'.

233  
234 Mr. Faris: That one portion and where that existing house is could easily be made a 25' setback to match  
235 what we did on the rest as well.

236  
237 Mr. McNulty: The ones next to the ravine where that's going to be open property forever is not a problem  
238 for me, but where it backs up to residential properties could be an issue.

239  
240 Mr. Dove: Those aren't going to be single family homes for very much longer.

241  
242 Mr. Faris: I don't think so; they're on the market now. The 10 units up there now, we can increase those  
243 to 25' rear yard.

244  
245 Mr. Dove: Personally I'd like to see those at 35' since we're abutting an adjacent property. My feeling is  
246 if we want to jam them in because that's the product we're doing and we're not doing side yard setbacks,  
247 but I don't know why we have to affect every adjoining property with a rear yard that's less than 35'.

248  
249 Mr. McNulty: I agree.

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250 Mr. Pychewicz: If the ones we're looking at here, because I think on the other side they're 25' already,  
251 it'd just be another 10', but if we're doing another 15' on 77 through 85, that would still allow for them to  
252 be functional, correct? It's not going to reduce that building footprint enough that it's going to be in  
253 jeopardy of being under the minimal square footage or anything like that.

254  
255 Mr. Faris: The 10' won't; the 15' will. At that point we'd be looking at reconfiguring some of the units to  
256 omit those on the periphery to scoot those ones down. On the other side where we have 25' now, if we  
257 went to 35' on that, we would start losing units because of our proximity to our internal ravines, so we've  
258 pushed those about as far as we can get those.

259  
260 Mr. McNulty: The ones next to the ravine I don't have as much a problem with but the reason for the  
261 setbacks was to keep those distances between the properties. That was the standard for Orange Township.

262  
263 Mr. Faris: We can take a look at that and see how that affects us; I know it's going to.

264  
265 Mr. McNulty: I understand that's a big deal if we ask for something a lot greater than the 20' that's there.

266  
267 Ms. Boni: But if they did 25', just be consistent with the west side.

268  
269 Mr. Faris: 25' I think we can get to work with minimal heartache. It may decrease our open space slightly  
270 but it's so slight; you're talking 1/10 of an acre and that I think we can agree to.

271  
272 Ms. Boni: And there is a tree line proposed all along this, correct?

273  
274 Mr. Faris: Correct.

275  
276 Mr. Pierce: Originally you said there were challenges with the additional 15' and you said 5' would be a  
277 push but if you did 10' is that going to cause a substantial... I'm just trying to come as close to what it  
278 was as possible.

279  
280 Mr. Faris: 5' I know is doable, 10' is pushing it but it's definitely much easier than the 15'.

281  
282 Mr. McNulty: What are the side yard setbacks for these condos?

283  
284 Mr. Faris: 12' I believe.

285  
286 Mr. McNulty: Between each building, there's not the 25'?

287  
288 Mr. Faris: Correct, between each building.

289  
290 Mr. McNulty: So it's half of what our typical standard is.

291  
292 Mr. Faris: Correct. From my end, 25' makes sense but you guys have to make that decision for yourselves  
293 and we'll see what we can do with it.

294  
295 Mr. Pychewicz: In going through the last submittal. I don't recall on the other side, the north end where  
296 it's showing 25' building setback.

297  
298 Mr. Faris: That was 20'.

299  
300 Mr. Pychewicz: So that was increased to 25'? Was 25' what we were asking for?

## Zoning Commission

301 Ms. Boni: I was looking through my notes. I just remember it being discussed for rear yard setbacks; they  
302 were a concern. There was a resident that was concerned about the landscaping screening which the  
303 applicant is complying to aside from those few units. That was something I added, the 25' to the  
304 stipulations. Staff agreed to make it consistent on both the west and east sides but the rear yard was  
305 discussed at the last meeting.

306  
307 Mr. Pychewicz: I don't know exactly what I said and if we were in agreement that the 25' on the other  
308 side was acceptable, on this side I don't necessarily see that as being a problem if we just match what's  
309 shown on this area, so it would just match across to the other side at 25'. I don't know what the rest of the  
310 Board feels.

311  
312 Mr. Dove: Dennis knows more about this than anybody probably, how many people have come in that  
313 want a swimming pool and they have to go in front of the BZA because they don't have 35', and now  
314 we're allowing a whole neighborhood come in at less than 35'.

315  
316 Mr. Faris: They'll have their own community swimming pool.

317  
318 Mr. Dove: I'm not talking about this development but every other residential development in Orange  
319 Township.

320  
321 Mr. McNulty: Michele, what does the 23 corridor setbacks require?

322  
323 Ms. Boni: This is different because the overlay district doesn't allow for any detached structures.

324  
325 Mr. McNulty: I'm asking the question kind of based on consistency because there will be a lot of  
326 developments like this along the 23 corridor. Are we asking for them to be something greater than 20' as  
327 to what the 23 corridor overlay is going to be?

328  
329 Ms. Boni: Yes because those are mainly considered commercial type uses, so I think abutting residential  
330 is a 50' setback.

331  
332 Mr. McNulty: Wasn't there just a residential on Owenfield that was in that 23 corridor?

333  
334 Ms. Boni: That's multi-family buildings, so if it's multi-family or commercial, it has a 50' setback. It's  
335 more for the high intensity uses.

336  
337 Mr. McNulty: So there won't be projects like this in the 23 overlay?

338  
339 Ms. Boni: No. I think The Courtyards at Clear Creek might be most similar one that we've recently done.  
340 The Lewis Center Ravines is just to the north but they had environmental restraints, so that is  
341 significantly larger. I can see what Clear Creek's were. That's the popular product and we can tell that's  
342 what the market wants. Epcon is popular in this community, so that's why I keep referring to them.

343  
344 Mr. McNulty: Those are both single family and condos; that's a multi-use, right?

345  
346 Ms. Boni: It was a single family district and a commercial district. The overlay district wasn't in place, so  
347 we didn't have a mixed use zoned for it.

348  
349 Mr. Pychewicz: This goes back to Todd Dove's comment from the last meeting, our Zoning Code really  
350 doesn't have a section for this type of development and that's where I think this makes this project  
351 unique. One thing we need to be careful about is if this is granted at 25', which we know the popularity of

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352 this type of development, is this something the next applicant is going to look at and say we saw this was  
353 25', why can't we get 25' and without a hardship, that case was unique because of "x". That's where it's  
354 going to be a hard argument for us to say to someone else, we granted that but this is why and I know  
355 we're working against an existing stream and storm water detention, but to me it looks like that whole  
356 north end can just shift down that extra 10' or even just a portion of it. I'm not saying how to design it,  
357 I'm just saying it looks like it's possible to get that extra 10' on that side. Looking at this side that  
358 Michele has up is maybe more difficult without compromising some of the units. We have to look at this  
359 and make sure we're not creating a new standard since we don't have a good Zoning Code in place now  
360 for this type of property. Is 25' going to be acceptable for a minimum?

361

362 Mr. Faris: I just pulled up one of the drawings from the Lewis Center Ravines and that had 2 different  
363 setbacks. 25' to the east and if I remember right that might have been the person who sold the ground to  
364 them and then 35' to the west because those were the people who wanted a greater buffer. We had both  
365 scenarios on that one property.

366

367 Mr. Pychewicz: I think that's what Dennis was getting at because he was trying to reference more recent  
368 projects and what was granted on those, so is 25' going to be acceptable on these sides where it's showing  
369 as 20' and then to match the other side at 25'?

370

371 Mr. Pierce: The other side with the 25', isn't that where the ravine is?

372

373 Mr. Pychewicz: Correct.

374

375 Mr. McNulty: The ravine side I personally don't have an issue with; that takes care of itself. To me the  
376 reason for setbacks was always for properties where people live.

377

378 Mr. Pierce: And I think that's something that has to be respected, particularly if that's been a challenge  
379 where people live and a challenge with the setback next to them, so I'd like to see it as large as possible.  
380 25' still seems shallow to me; I'd like to see 30' to see what that looks like but know that may be a  
381 challenge to you, but as close as possible.

382

383 Mr. Faris: Without talking to the rest of the group, we can look at that and see their thoughts.

384

385 Mr. Dove: We've always been very careful with setting precedents because we know this is a hot item  
386 and it's going to start going everywhere in our Township, so with these groupings of homes with 20'  
387 behind your house when you had to fight to get your swimming pool within 35'.

388

389 Mr. McNulty: I think I'm unwilling to set this as the new standard. We've already had other people turn  
390 us down with properties like this because we wanted something additional and if they had to reduce their  
391 properties, they walked away.

392

393 Mr. Pychewicz: Are we saying then that 30' would be acceptable or are we saying the full 35'?

394

395 Ms. Ault: 30' is acceptable for me. I want to keep with the standard of no less than 25'; I don't want to  
396 start a new standard of anything less than that personally.

397

398 Mr. Pychewicz: I agree. I think 30' would be a lot better than the 20' shown, and then on the other side  
399 with the 25' facing the ravine, it sounds like the Board's alright with that, so no modification there. But  
400 the northeast and the other side that Michele highlighted before, those need to go to 30' is what I'm  
401 hearing from everybody.

402



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403 Ms. Ault: I agree. If the applicant decides to walk away from us because of that, so be it. That's my  
404 personal opinion.

405  
406 Mr. Pierce: To make sure I understand because I haven't been here for the last one, has the standard been  
407 35'?

408  
409 Mr. McNulty: The standard has been 35' and there's always been some density issues which we made  
410 allowances for. I'm not sure that we made allowances for that 35', but Michele may know the answer to  
411 that.

412  
413 Ms. Boni: Clear Creek did have a 20'. I know the setback is clearly the issue for this evening, but all these  
414 parcels are within the overlay district so if anything were to be developed around the Slate Ridge single  
415 family, they would have to comply with the overlay setbacks which would be more significant than  
416 what's here.

417  
418 Mr. Dove: And it's all zoned multi-family.

419  
420 Mr. Pychewicz: That would be 50'?

421  
422 Ms. Boni: Yes.

423  
424 Mr. Pychewicz: So it would be 50' plus what we're doing here so it would be more than what is normal.  
425

426 Ms. Boni: It could be commercial or industrial.

427  
428 Mr. Dove: I just ask the Board that when these come east of the railroad tracks in our typical  
429 neighborhoods that you really watch these rear yard.

430  
431 Mr. Pierce: If I'm understanding correctly, then 30; would be reasonable if it's going to be built where  
432 immediately next to it is multi-family.

433  
434 Mr. Pychewicz: Yes.

435  
436 Ms. Boni: It could be multi-use, multi-family or commercial.

437  
438 Mr. Pierce: Then 30' would probably be reasonable.

439  
440 Mr. Faris: We will make that adjustment on the plans and increase that by 10'.

441  
442 Ms. Boni: Todd Faris, if we made the rear yard setback 30' on the east side, do you think that would  
443 affect any other of the development standards? I can add that as a stipulation if we want to move forward  
444 to the Trustee meeting.

445  
446 Mr. Faris: No it wouldn't because we don't want to reduce our interior side yard setbacks to each other  
447 because that would be a fire code issue. The worst case scenario is it's going to reduce our open space a  
448 little bit but we're so far over that I don't think that's a real issue. I think we're okay. Roads may look a  
449 little different but not much when we redo it.

450  
451 Mr. Pychewicz: Have we received any public comment via the online chat room or anything?  
452

## Zoning Commission

453 Ms. Boni: We have not and I usually try to send a chat on our YouTube feeder just so people are away but  
454 I'm getting an error, so if anybody was tuning in and trying to comment, please email or call our zoning  
455 office and we'll make sure those comments are addressed at the Trustee level if something was missed  
456 but there's only one person watching and it could even be myself, so I don't think there's any comments  
457 this evening. Andy, I don't know if you can see this screen but are you comfortable with the way the  
458 stipulations are written?  
459

460 Mr. Wecker: Yes, I saw you typed a 4 for the SFPRD east, I saw a 6 has been added and we've stricken  
461 the one on the tree line, so that reflects what we discussed tonight.  
462

463 **RESOLUTION TO RECOMMEND CONDITIONAL APPROVAL OF ZONING**  
464 **APPLICATION #ZON-20-03 OF KERBLER FARMS LLC/KERBLER BUILDERS, WITH**  
465 **STIPULATIONS.**  
466

467 Motion by Mr. Todd Dove to recommend to the Board of Township Trustees (the  
468 "Board") the conditional approval of Zoning Application #ZON-20-03 of Kerbler Farms  
469 LLC/Kerbler Builders, the property owner, requesting the amendment of +/-105.76 acres of the  
470 currently effective development plan under application #13-0305 known as the Slate Ridge Single  
471 Family Planned Residential District (SFPRD)., upon finding that it is in the interest of the public  
472 convenience, comfort, prosperity, or general welfare, and is sufficiently in accordance with the  
473 comprehensive plan. The version of the application to be approved consists of those materials  
474 submitted by the applicant in a hard copy binder titled *Slate Ridge*, the pages of which are each  
475 stamped RECEIVED with ORANGE TWP. ZONING above and JAN 19 2021 superimposed by  
476 Orange Township Zoning (collectively, the "Development Plan"), as modified by the stipulations  
477 listed for correction/modification in the *Statement of Stipulations* attached hereto as *Attachment*  
478 "A" and incorporated herein by reference, all of which stipulations have been agreed to by the  
479 owner/applicant.

480 Further moved that this recommendation is conditioned upon the applicant's  
481 submittal of a final revision of the Development Plan reflecting compliance with all items set forth  
482 in the *Statement of Stipulations* prior to the consideration of this application by the Board, and if  
483 that submittal does not fully comply with the same, the recommendation of this Zoning  
484 Commission is denial of Zoning Application #ZON-20-03 of Kerbler Farms LLC/Kerbler  
485 Builders.

486 Further moved that the Zoning Secretary shall certify a copy of this resolution to the Board.  
487

488 Seconded by Ms. Ault  
489

490 Vote on Motion: Mr. Pychewicz–Yes, Mr. McNulty –Yes, Mr. Dove -Yes, Mr. Pierce–Yes, Ms.  
491 Ault–Yes (5-0)

492 Motion carried  
493

*Attachment "A"*

494  
495 **STATEMENT OF STIPULATIONS**  
496

497 **Re: #ZON-20-03, Kerbler Farms LLC /Kerbler Builders, requesting an amendment of +/-105.76**  
498 **acres of the currently effective development plan under application #13-0305 known as the Slate**  
499 **Ridge Single Family Planned Residential District (SFPRD).**  
500

501 1) Included in the submittal to the Trustees, amend Exhibit A-1.0, "Overall Development Plan"

## Zoning Commission

- 502 parking requirements to 4 per dwelling unit.  
503  
504 2) Included in the submittal to the Trustees, amend Exhibit A-1.0, “Overall Development Plan” rear  
505 yard setback requirements as reflected in development text.  
506  
507 3) Included in the submittal to the Trustees, amend Section 10.07(m) of Development Text to have a  
508 minimum building dimension of 1,300 square feet.  
509  
510 4) Included in the submittal to the Trustees, amend the Development Plan and Text to have a  
511 minimum rear yard setback of thirty (30) feet along northern perimeter of “SFPRD EAST”.  
512  
513 5) Included in the submittal to the Trustees, amend sections of Development Text to have a  
514 minimum of a 2 - car garage requirement.  
515  
516 6) Included in the submittal to the Trustees, amend Section 10.07(k) of Development Text to include  
517 setbacks of the two (2) entry signs. In addition, modify the text to reflect appropriate Exhibit.  
518

### APPROVAL OF MEETING MINUTES

519  
520  
521 Mr. McNulty made a motion to approve the October 27, 2020 meeting minutes of the Orange Township  
522 Zoning Commission for Zoning Application #ZON-20-02, BZ Evans, with the following corrections:

- 523  
524 • Change Ms. Boni’s title to Development and Zoning Director  
525 • Line 143 should read: “...since we have A and J as parking lots....”  
526 • Line 541: “ae” should read “are”  
527 • Line 545: “Matteis” should read “Mattei”  
528

529 Seconded by Ms. Ault

530 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Dove-yes, Mr. Pierce-yes, Ms. Ault-yes

531 Motion carried  
532

533 Mr. McNulty made a motion to approve the December 8, 2020 meeting minutes of the Orange Township  
534 Zoning Commission for the work session for Route 23 Overlay District Application #RCOD-20-01,  
535 Schottenstein Real Estate Group, as written; seconded by Ms. Ault.

536 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Dove-yes, Mr. Pierce-yes, Ms. Ault-yes

537 Motion carried  
538

539 Mr. McNulty made a motion to approve the December 15, 2020 meeting minutes of the Orange Township  
540 Zoning Commission for Rezoning Application #ZON-20-03, Kerbler Farms LLC/Kerbler Builders, with  
541 the following corrections:

- 542 • Line 400: “12” should read “1,200”  
543 • Line 430: “deadest” should read “dead set”  
544 • Line 436 should read: “...as far as development standards go....”

545 Seconded by Ms. Ault

546 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Dove-yes, Mr. Pierce-yes, Ms. Ault-yes

547 Motion carried

## Zoning Commission

### OTHER BUSINESS

548  
549  
550 Ms. Boni: I wanted to introduce our newest Zoning Commission member, Ciara Harris. We welcome her  
551 on the Commission but we're sad that Todd Dove and Barrett Ault are leaving us, but I think she will be a  
552 great asset to our team. We do not have a Zoning Commission work session on February 2 as we did not  
553 receive any new applications for the Route 23 Overlay. However, I would like to propose for the Zoning  
554 Commission February 23 meeting to have our new legal counsel host a training for us since we've had a  
555 lot of Board members join us this past year and I think this is an entirely different Board dynamic, so I  
556 think it would be good to have an informal discussion. I'll send some information out on that but I hope  
557 all can attend. That's typically our regular meeting schedule but we shouldn't have an application for that  
558 meeting, so I'd like to host a training and that will count as a paid attendance too.

559  
560 Meeting adjourned at 8:05 p.m.

561 Minutes prepared by y Cindy Davis, Zoning Secretary

562

563 At their March 16, 2021 meeting, Mr. McNulty made a motion to approve the January 26, 2021 minutes  
564 of the Orange Township Zoning Commission for Rezoning Application #ZON-20-03, Kerbler Farms,  
565 LLC/Kebler Builders, as written; seconded by Ms. Trebellas.

566

567 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Trebellas-yes, Mr. Pierce-yes, Ms. Harris-  
568 yes

569 Motion carried