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3 **LEGAL NOTICE**

4
5 Notice is hereby given that the Orange Township Zoning Commission will hold a public hearing on
6 Tuesday, June 29, 2021 at 7:00 p.m. to consider the following application:
7

8 **Zoning Application #ZON-21-04, Evans Farm Development Co. LLC.** The application is an
9 amendment to the currently effective zoning development plan for +/- 425.4 acres within the Evans Farms
10 Single Family Planned Residential (SFPRD) District, approved under applications #15-0105, #ZON-17-07
11 and #ZON-19-03.
12

13 **Please note, there will be an opportunity for members of the public to speak during the hearing via*
14 *ZOOM. Statements made or written in any chat rooms shall not serve as public comment. If you would*
15 *like to speak, please limit your comments to three minutes.*

16
17 *If you would like to share any comments or have any questions in advance of the hearing, please email*
18 *our office at orangezoning@orangetwp.org as we will forward these to staff and our board members.*

19
20 The hearing will be held virtually using electronic means and can be accessed by the public on the internet
21 on the Zoom application at
22 <https://us02web.zoom.us/j/87459440738?pwd=R1JodENHK0o5Z1Y0c2t0dThyeVBpUT09>
23 During the hearing the public may submit questions and comments to the Board by sending messages
24 to Development and Zoning Director, Michele Boni via the Zoom meeting chat room.
25

26 Because the ZOOM attendance capacity is limited, if you do not plan on providing public comment, please
27 consider watching on our Orange Township YouTube Channel where it will also be streamed here:
28 <https://www.youtube.com/channel/UCIBwuLlPzVT0PPx3xF1M7iQ> .
29

30 This application is available for examination **by appointment only** from June 15th, 2021 through June 28th,
31 2021, inclusive, Mondays through Fridays, excluding legal holidays, during the hours of 8:00 a.m. to 4:30
32 p.m. at the Orange Township Administrative Offices, 1680 East Orange Road, Lewis Center, Ohio 43035.
33 Please contact Michele Boni at 740-548-5430 ext. 3125 or orangezoning@orangetwp.org to schedule an
34 appointment. You can also email orangezoning@orangetwp.org to request our office to email you the
35 application.
36

37 After the conclusion of the hearing, the matter will be submitted to the Orange Township Board of
38 Township Trustees for its action.
39

40 Michele Boni, Development and Zoning Director is the person responsible for giving notice of the hearing
41 by publication.

42 *Adam Pychewicz, Chairperson*
43 *Michele Boni, Orange Township Zoning*
44

45 *Publish one time on or before Friday, June 18, 2021 in the Delaware Gazette.*
46

47 Roll Call: Adam Pychewicz, Dennis McNulty, Christine Trebellas, Leslie Pierce, Ciara Harris
48

49 Township Officials Present: Michele Boni, Development and Zoning Director

50

51 Mr. Pychewicz: We are here tonight to discuss the rezoning application #ZON-21-04 for Evans Farm
52 Land Development. This is in regard to an amendment to the current development text.

53

54 Ms. Boni: The applicant is requesting a minor amendment to the Evans Farm Single Family Planned
55 Residential District. The area is primarily surrounded by single family homes. They are a pretty large area
56 of the Township with Lewis Center Road along the south then it goes along the railroad tracks and all the
57 way to Shanahan. They are requesting an amendment to decrease the setback for in-ground swimming
58 pools. The Evans Farm lots are all designed smaller so to fit a swimming pool in these lots, it does not
59 comply with our general standards of the Orange Township Zoning Resolution, so the applicant is
60 seeking an amendment for that. We sent this to Regional Planning Commission but because of the minor
61 amendment, they didn't require a review. The applicant is proposing to have the setback to 10'; that is the
62 setback for structures in most of the bigger lots; some of the smaller lots even have a 6' setback but
63 they're proposing 10' from the public right-of-way. This is really impacting a lot of the corner lots too, so
64 because our Code reads it's a 25' setback to all public roads while Evans Farm is all public streets for the
65 most part except for the alleys, so have a 25' setback on a corner lot makes it nearly impossible to put
66 anything there the way it stands. I shared this with other departments; there was no review. This is a
67 pretty simple amendment and if the Board is okay with it, I will open it up to Dan Griffin.

68

69

70

APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS

71

72 Dan Griffin, Evans Farm Land Development Company, as we move forward with Evans Farm, there are
73 minor amendments and tweaks that Orange Township and Evans Farm want to make to enhance all our
74 vision, so this is one area where we can actually put a structure there but there was an old Code section
75 that was really for lakes, water impoundments, but when they mentioned pools, it applied to our corner
76 lots, so we're just asking for our Single Family Residential in Evans Farm for corner lots to allow for a
77 10' setback off the right-of-way to put pools. It's pretty simple on that.

78

79 Ms. Trebellas: I know there are already a few pools in Evans Farm. Are they basically in the interior lots
80 and not corner lots and how large are the lots where the pools are now?

81

82 Mr. Griffin: There are pools on 55' and 60' lots but they're not the corner lots and on the corner ones,
83 when you push the house back to one setback of 6', your only other yard is bordered by a street, so the
84 houses actually have a frontage on one street, a side yard/frontage on another and then an alley behind
85 them. This is the only location these residents on these corner lots would be able to put a pool on it.

86

87 Ms. Boni: The other reason we have this section in our Code was really for water impoundments along
88 major corridors like 23, so if there was a car accident, they wouldn't fall into the pond; there was enough
89 setback for safety reasons. Evans Farm is a small neighborhood community and to me the standard
90 applies to our major corridors, not necessarily to every neighborhood street or I don't think it should, and
91 maybe that's something we want to re-visit in the future for our zoning rewrite.

92

93 Ms. Trebellas: Right now the wording says pools shall be permitted to be located no closer than 10' to the
94 right-of-way on corner lots having two public frontages. I understand 10' from your side yard but the way
95 it sounds it could also be 10' from your front yard. Are there guidelines in our Code saying how far the
96 pool has to be in your back yard, not your front yard?

97

98 Mr. Griffin: We require pools in rear yards and I think they can't be within 25' from the front of the house
99 so they have to be back that far.

100 Ms. Boni: We don't specify between the different setbacks, front, side or rear with pools. I've never
101 witnessed this; there was some staff oversight when this all started because we were unfamiliar and Evans
102 Farm is such a unique development that this was brought to our attention because we've never done a
103 pool near a front yard before.

104
105 Ms. Trebellas: Right now it seems like there's a big loophole that could put it in the front yard. I under-
106 stand the issue with the corner lots and the side yard setback and the rear, but I don't want a pool in the
107 front yard.

108
109 Ms. Boni: The point of the Evans Farm homes was it was closer to the front setback with the building in
110 the front and parking in the rear, so it's just physically impossible to put a pool in the front yard.

111
112 Mr. Griffin: And we don't allow it because we have strict guidelines and nobody would put in one
113 because you couldn't even get one 10' from our right-of-way for the house.

114
115 Ms. Boni: But when we do our Zoning Code update, I think we might want to avoid that.

116
117 Mr. Griffin: I wanted to add and I know this isn't part of the meeting but July 11th and you'll be getting
118 invitations, we're having a celebrate America and flag raising. We put up a 40' flagpole right as you drive
119 in so you can see it. We want all of the Orange Township people and the Commissioners. We're going to
120 have a little street festival in celebration of America. There will be food trucks, bounce houses and face
121 painting for the kids; kind of like we've had before.

122
123 Mr. McNulty: Michele, are the typical setbacks throughout Evans Farm all 25'?

124
125 Ms. Boni: No. I think even the 40' lots have as small of a setback as 6' for structures.

126
127 Mr. Griffin: 6' side yard, 10' front yard on these smaller lots, so we could put the house all the way up
128 there. That's why we want to save the yards for these types of facilities and not make the house go all the
129 way up but we can push the house all the way to that 10' setback from the right-of-way.

130
131 Mr. McNulty: What is typically in the back yards if the side yard would possibly be used for a pool
132 instead of the back yard?

133
134 Mr. Griffin: In these lots that front two public streets and have an alley feeding them, there really is no
135 back yard. The setback from any structure to the center of the alley is 28' which is always the garage.

136
137 Mr. McNulty: So the alley and the garage are taking up that space in the rear yards?

138
139 Mr. Griffin: Yes, so that becomes kind of a side yard situation. We have a lot of residents who have put
140 pools in their side courtyard on these small lots but they're not fronted by two streets.

141
142 Mr. McNulty: Are the corner lots typically as in most residential neighborhoods bigger than the other
143 lots?

144
145 Mr. Griffin: They are. We tried to make them bigger because of the setbacks and wanting them to have
146 that side yard.

147
148 Ms. Boni: I also want to note to the Commission that if the Board does wish to recommend this
149 amendment, the fencing requirements are still remaining the same, so we still require a 5' fence; I just
150 wanted to make sure the Board understood that too.

151 Mr. Griffin: We've already been through this with our architectural design guidelines and a lot of these
152 fences have pillars, so even in this case, someone could not ride their bicycle through and get into the
153 pool.

154
155 Mr. Pychewicz: The reason for the Code, and as Michele stated earlier, it's more of a safety concern and
156 not really applicable to this particular situation. On roads with higher speeds obviously you don't want a
157 body of water so close to the road. In this case I don't see that being an issue especially with a residential
158 street. I would say with the building being permitted up to 10' from the right-of-way, I don't have any
159 concerns with the pool being the same distance from that right-of-way. Dan, confirm if you would, the
160 right-of-way from the edge of curb at the street to the sidewalk I think is a 16' buffer before you get to the
161 actual lot line, correct?

162
163 Mr. Griffin: Yes, from the back of curb we have the 7' tree lawn still on the streets and then we have
164 sidewalk, so it's 12-14'.

165
166 Mr. Pychewicz: So you've got the 14' there and then you're asking to take it 10' back from that, so you're
167 talking 22-24', so I think there's plenty of distance there if something were to happen on the street, a
168 car's not going to travel that distance going the speed that it should be and then going into the pool. With
169 that said, the houses are the same distance, they're that close. Overall I don't have any problems with this.
170 I know why the Code was written and I don't think it necessarily applies here, so I don't have an issue
171 with it.

172
173 Ms. Trebellas: I'm assuming these cars are going 25 miles per hour.

174
175 Mr. Griffin: Yes, these are 25 mile per hour speed limits and we kept the fence requirements and
176 everything else. As most of you know we've gone back through the last 7 years and we'll always have
177 minor modifications which we believe will help Orange Township tweak their Zoning Code to be more
178 applicable than when it was written.

179
180 Mr. McNulty: How wide are those streets?

181
182 Mr. Griffin: 24' or 26'.

183
184 Mr. McNulty: Is there any on street parking?

185
186 Mr. Griffin: On Linden, there's no parking signs on both sides.

187
188 Ms. Boni: It varies, Dennis.

189
190 Mr. McNulty: I thought that would be true because there are some streets that are wider, some streets
191 have retail and stores, so I would suspect for it to be totally different throughout that entire development.
192 I'm with Adam; I really don't have any issues with it as well. This was already designed to be completely
193 different with respect to anything that ever happened in Orange Township and that's all good.

194
195 Ms. Trebellas: Initially I was concerned but since the pool setback is the same as Adam brought up as the
196 house setback, you have as likely of a chance of jumping the curb and hitting the house, so as long as the
197 pool's not in the front yard, I can handle that. As long as it's tucked in the side yard behind a fence and it
198 doesn't go out beyond the house. I agree, I think the language concerning impoundments is more suitable
199 for 23 or even S. Old State or Orange or any of the major thoroughfares where people are going 45 miles
200 per hour and there aren't fences around those impoundments and the fact that you have a fence around the
201 pool also provides a certain level of safety if someone does happen to jump a curb or something like that.

202 I think that the impoundment language doesn't quite apply in this situation, so I agree with Adam and
203 Michele in this situation.

204
205 Mr. Pychewicz; Dennis, you bring up a good point because I think the second thing the Board is most
206 commonly going to look at is or be concerned with, if we grant an amendment, what's this going to do for
207 future developments and this is something everyone is going to point to and say you did it here but in this
208 case, this is so unique that I don't see that happening. If a development goes in and it's off of whatever
209 road and they're asking the same thing, it's got to meet the same criteria and with the Zoning Code
210 rewrite coming up, this is a good opportunity to get these things buttoned up, so this can be specific to
211 this type of development and not necessarily apply to more common developments we see throughout
212 Orange, so I think that's a good point to reiterate that this isn't something I have any concerns with, I
213 don't know if anybody else does, that we're going to have another developer come in and say that this
214 was granted here and we should get it too. Unless it's the same case, it's fine.

215
216 Ms. Boni: I have not had this issue until Evans Farm so I'd like to think it's not an issue throughout the
217 Township; I don't want to say issue, Evans is unique.

218
219 Mr. Griffin: I think it's safe to say Evans Farm will stay unique in the Township, for my lifetime for sure.

220
221 Mr. McNulty: I agree.

222
223 Ms. Trebellas: Dennis and I were both there during the initial zoning and we struggled with Evans Farm
224 never actually fit in our Code because it was such a unique situation with the smaller lots, the smaller
225 setbacks that are not allowed in our Code, so I do think it's a one of a kind thing where a developer
226 should be able to say you did it in Evans Farm, I should be allowed to do it in my development because I
227 don't think another development is going to go the route of Evans Farm which withstood a lot of scrutiny
228 by the Zoning Commission. We just tried to make sure of the product that we're getting. It is unique.

229
230 Mr. Griffin: Again, I want to thank you guys. I think our residents and the community as a whole really
231 appreciate what we've put together here. It has been your true willingness to let us create a gathering
232 place and a community like this that's unique around the country.

233
234 Mr. Pychewicz; Are there any other comments from the Board before we open it up for public comment?

235
236 Ms. Harris: I agree with the overall consensus; I don't have a problem with it. Like you all said, it seems
237 extremely realistic for the development of Evans Farm.

238
239 **PUBLIC COMMENT**

240
241 Rosalie Fenner, my husband and I just want to take this opportunity to thank Orange Township and the
242 Zoning Commission as well as Dan of Evans Farm for listening and adapting and helping us build this
243 community, and I agree with Dan and as I talk to our neighbors, this is a place like no other, we're so
244 excited to be here with all the great neighbors we have and building something you can only find here, so
245 your willingness to listen and adapt as opportunities come up to make this a place that we love and can
246 really enjoy being out in our neighborhood with our neighbors who are becoming our really good friends.
247 We just wanted to thank you for being willing to help us continue to grow and evolve the neighborhood,
248 and we're super excited to be a part of it.

249
250 Ms. Boni: I did want to mention that Ms. Fenner did email me including letters from other neighbors
251 showing their support of this amendment, and I did pass that along to the Board members.

252

253 Mr. Pychewicz: Any other public comment?
254

255 Caitlyn Neil, I also live in Evans Farm on Linden Street. My husband and I support what Dan was saying;
256 this truly is a unique place. I came from Dublin and my grandmother currently lives in Westerville, and
257 this was the only true opportunity that we had to have her in a location so close to us, so this has brought
258 us to Orange Township and we feel this is unmatched by any other area like Dan said, unique across the
259 nation. So this community in the years to come will ultimately make Orange Township stand out among
260 the other communities in Central Ohio.
261

262 Mr. Griffin: The Parade of Homes with the BIA is a city-wide thing and different developments will put
263 in houses and during 3 weeks in September people will drive around, there's no Parade of Homes per se
264 in any one area. We are going to sponsor that so I will be getting in touch with the Orange Township
265 officials and others to do a City Scene article. This is all of our hometown so in September we'd love to
266 have some events during the Parade and we'd love to have you guys support us and I will get in touch
267 with you, Michele before then.
268

269 Ms. Boni; Any other promotional event this year?
270

271 Mr. Griffin: We'll have our normal street fair in August then in September will be the Parade and of
272 course we'll have our fishing contest in late September/early October with Bass Pro Shop.
273

274 Ms. Boni: I just want to make note that if you thought of something you wanted to share after we close
275 public comment, please forward to our office and I will pass it on to the Board of Trustees because that
276 will be the next step after tonight. For the Board's consideration, I did draft a recommendation for this
277 evening.
278

279 Mr. Pychewicz: Is there any further comment from the Board? (None). Then we will close the meeting for
280 comment.
281

MOTION TO RECOMMEND ZONING APPLICATION #ZON-21-04

282
283
284 Motion made by Dennis McNulty to recommend to the Board of Township Trustees the approval of Zoning
285 Application #ZON-21-04 of Evans Farm Land Development Company, LLC requesting the amendment of
286 the currently effective development plan for Evans Farms Single Family Planned Residential (SFPRD)
287 District Applications #15-0105, #ZON-17-07 and #ZON-19-03. Further moved that this recommendation
288 is for an amendment in accordance with the changes to the development text Section 21.05 a) submitted by
289 the applicant, the pages of which are stamped Received with Orange Township Zoning above and May 28,
290 2021 superimposed over Received by Orange Township Zoning.
291

292 Further moved that all portions of the previously approved Application and Development Plan of
293 Application #15-0105 as modified by Application Numbers ZON-17-07 and ZON-19-03 that are not
294 changed herein shall continue in full force shall remain in full effect; seconded by Ms. Trebellas.
295

296 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Trebellas-yes, Mr. Pierce-yes. Ms. Harris-yes
297 Motion carried
298

299 Ms. Boni; I know I put on another agenda item for minutes but I just didn't have time to read them. Luckily
300 we haven't had a ton of meetings lately, so we're not too behind.
301

302 Mr. Pychewicz: We know you have a lot going on so that's the least of our worries.
303

304 Ms. Boni: And we do have a meeting next week for the work session for the multi-family on Shanahan and
305 23. Ms. Trebellas is not able to attend so we did seek Mr. Freeman; this will be his first meeting. And the
306 one on the 8th will be in person as by law we have to start having them in person in July. The one with
307 Dennis and Adam will be via Zoom.

308

309 Meeting adjourned at 7:05 p.m.

310 Minutes prepared by Cindy Davis, Zoning Secretary