

**Concord Township
Board of Zoning Commission
Administrative Building
6385 Home Road
Delaware, Ohio 43015**

**Workshop Minutes
April 25, 2017**

Call To Order

Chair, Resanovich called the Public Meeting to order

Roll Call

Connie Resanovich, Chair	Present
Virginia Farneman, Vice Chair	Present
Gary Davis	Present
Steve Pierce	Present
Steve Smith	Present
Mike Hamilton, Alternate	Present
Darin Hilt, Alternate	Present

Public Present

None

Old/New Business

Chair, Resanovich said the Trustees are having a zoning attorney attend their meeting on April 26 and the Trustees invited the Board of Zoning Commission (BZC) to attend. Specific topics for discussion and the name of the attorney were not known. Chair, Resanovich mentioned that she would attend and encouraged each of the BZC to attend if possible.

Chair, Resanovich stated the Trustees met on April 19, regarding Applications ZC012017 Riverside Highlands and ZC022017 Concord Highlands. Chair, Resanovich said there were approximately 60 residents in attendance.

Chair, Resanovich distributed notes on the Trustee's comments and notes from the previous BZC meeting for points of discussion.

Trustee's Comments: less density, prefer 1.5 and include bike path across the front, quality building materials, development shielded from the road with new or existing landscaping, fences, entrances etc. may be difficult for open farmland but not impossible. Discussion around curbs and gutters, would open ditches provide a more rural look and decrease township maintenance cost.

The Trustees continued their meeting without a vote.

Workshop

Chair, Resanovich began with topics of discussion from the previous workshop. Revising the side yard setback to 10 ft. was discussed. Chair, Resanovich spoke to Scott Sanders, Delaware County Regional Planning Commission (DCRPC) and he mentioned that township side setbacks range from 5-7.5 ft., and from 10-12 ft. with some allowances for the side load garage. The Board also discussed; open space,

and if it is a park or ballfield, etc. is the township required to service the area; how should the Board legislate the look of common open space with houses backing up to that space; would conservation subdivisions with a required 50% open space be an option in the township and is that standard or can open space be reduced; would a PRD be an option and then change the percent of required open space and number of houses. However, if the density was lowered to 1.5 how would the township provide PRD for Epcon type communities? Would zero lot line housing be divergences? Trustees would like wording added to the code to allow them to discuss and approve different options that are not included in the code but would benefit the township.

Mr. Hilt said to keep the 1.5 density and leave the options up to the discretion of the Trustees. They can discuss options with the developer. The developer and Trustees can negotiate beneficial options for both concerned. This option would also decrease continual updates to the Comprehensive Plan and/or Zoning Code.

Chair, Resanovich said the wording needs to address the developer's ability to work with the Trustees and also discourage law suits. Mr. Hilt said that if it's a nonconforming property that would be one of the issues for consideration and the Trustees could negotiate. The Trustees would like to have verbiage to negotiate with the developers in order to have more satisfactory results for the township. Chair, Resanovich added that the BZC would need to get most of the details in the code and leave room for negotiations with the Trustees. The BZC should conform to the zoning code and the remainder decision is up to Trustees. Mr. Davis asked if the 1.5 density change was coming from Scott Sanders, DCRPC. In the past the township held several public meetings with various residents. Chair, Resanovich said they were at 1.5 and then they discussed 1.85 and then Scott said 2.0 at the last meeting. Mr. Smith explained that was because of the annexation. Chair, Resanovich said that 2.0 is everything except for west Scioto which was 1.5 and then they raised it up to 2.0, because they didn't think they were going to have sewer so it wouldn't be an issue. They proposed condos along the sewer side with 2.0 in the Comprehensive Plan, page 127, current edition. Mr. Hilt mentioned that a geographical approach might work better due to the different areas. Mrs. Farneman said that even Marysville, at one point, had threatened annexation. Mr. Smith agreed that the wording needs to be clear to prevent law suits. Mr. Smith said that larger roads (Dublin) could handle the higher density, while smaller roads (Concord) cannot handle the high density without changing the entire area. The requirements should be specific to assure the developer that what they present may be approved without making costly changes.

Chair, Resanovich asked the BZC what they thought the density should be for this side of the river. Mrs. Farneman said the sewer opens the area for higher density. Chair, Resanovich asked for the location of concern for the higher density, ex., Concord, Dublin roads. Mr. Hilt said everything north of Moore and Duffy, also Concord, Concord West, Merchant roads. The discussion for sewer is currently, to go along Dublin road from the sewer plant on Moore road. Mr. Smith said the proposed quarry development is good for that specific property. Mr. Hilt agreed, the proposal works well for the area as a nonconforming property including Dublin road as the access road. Mr. Davis said that if the density is changed to 1.5, opportunity for development would be diminished. Developers, such as Don Kenny, would not be able to develop the land. The density does not matter to landowners until they want or need to sell their property. If the density is changed from 2.0 to 1.5, the property value is decreased for the current land owner. The question for the landowners is should they have to subsidize the township to keep open space and parks or should other people take out of their percentage from their bonds, retirement accounts, investment etc. and pool those resources to help support that along with the large landowners. The end result, is that we are decreasing landowner's estates. If owners wait 5-10 years from now if you build large, expensive homes then it all averages out. However, if a landowner has to

sell unexpectedly due to illness or death the possibility of development is gone and the owner takes a loss.

Mr. Hilt said the development would be changed, instead of having Fischer, Pulte, M/I as builders and the lot sale at \$60,000-\$80,000. The lot costs would change to \$125,000-\$160,000 which would drive the higher priced homes. The question would be if it would sell or not. The less expensive developments are able to develop the area with a sea of rooftops. Mr. Davis added that the land character and schools are all affected and the short term landowners are not concerned. Mr. Davis said for the children who will inherit, if the zoning is changed and money is taken away from their inheritance there would be no compensation. Mr. Smith agreed that there are examples of that happening. Mrs. Farneman said that most new development appears to be higher quality rather than lower quality. Mr. Smith said the density of the quarry is higher than 2.0. Chair, Resanovich added that the density is 2.8 with condominiums included in the development. Chair, Resanovich said the development offers variety of home types including retail. Mrs. Farneman added that the design is very attractive with a difficult piece of property. Mr. Smith agreed and added that construction will be an issue on the property. Chair, Resanovich said the developer has remained in contact with questions and the project is still in progress. Inspector, Irvine currently has not received anything from the developer.

Chair, Resanovich said the BZC needs to consider all involved from the landowner and their heirs, to the developer and the residents. Everyone will not agree on the same changes for the code. The BZC needs to consider the best options for the township and what the township should and should not look like. The township was forced to make certain decisions that would not have necessarily been made for the other side of the river if not threatened with annexation and the road system available. This side of the river does not have the road system availability and is not threatened with annexation. The BZC needs to consider whether the density is the issue or the quality of the house.

Mr. Hilt said that Sawmill Parkway is a good example of all the different types of development. The road system is not the only factor that decides the density of an area. If current property owners are concerned about their property value than the quality of the house is an issue. Mrs. Farneman agreed and added that property value does not go down with development. Mr. Hilt said the appearance of the development makes a difference. The development should have a large front setback, including a dense buffer with trees around the entire development. Trustee, Garrett said during a Trustee meeting, that they do not want to see the development. Mr. Hilt added that a buffer surrounding the development, a large setback from the road, reduced density, and saving the current fence row, would create a more appealing development. Mrs. Farneman added that there are areas that have the retention ponds and dense buffering along the road and the development cannot be seen until you drive back into the area. Mrs. Farneman added that in Hilton Head the same was true for their retail. Mr. Hilt added that houses should all face the road and accessory building, trampolines etc. should not be allowed. Mrs. Farneman added that trees should be included in the development as well as their maintenance. Mr. Smith said that the current developer has never denied adding buffering and landscaping to improve an area for a resident or at the request of the BZC or Trustees. Chair, Resanovich mentioned that major changes did not seem necessary for the code. The BZC discussed eliminating the incentives and adding 'exceptions at the discretion of the Trustees', or similar wording.

Discussion ensued regarding the Comprehensive Plan verbiage on page 127. The BZC agreed the wording may remain the same. Chair, Resanovich read sections from the code, page 66 Development Standards, with the 5 incentives. She called out that language "may be approved" does not automatically guarantee higher density if incentives are met. See attached copy of Zoning Code, pages 65-66.

The code says, not exceed 2 dwelling units per acre.

If planned residential development rezoning is requested should not exceed 2 dwelling units per gross acre, minus existing road right-of-ways and road easements with a maximum of 10% deception be located on a major collector or arterial road be served by sanitary sewer and contribute their fair share to road improvements to mitigate their traffic impact.

Chair, Resanovich mentioned a few options; eliminate the incentives and change them to exceptions, surround all new development with buffering, offer cluster type of home in the rear of the development, allow only front facing homes along the main road, etc. The BZC could encourage a preliminary meeting with the developer to get an idea of what options with what density would work before they see the application. The exceptions may differ depending on the area of the township. The preliminary meeting could prevent the developer from making changes to the application and continuing a meeting.

Discussion for updates to the code included; ranch homes 1,500 sq. ft. minimum, 1.5 story homes 1,800 sq. ft. minimum, 2 story homes 2,000 sq. ft. minimum including 2 car garage with 2 car parking on property, and all natural wrapped exterior. Schools dictate a lot of the growth. If the school system had a better reputation they would attract more growth. The school systems surrounding the township have a great reputation and higher taxes. This area is collecting people who raised their children in different schools and are now moving to this area for the lower taxes.

Chair, Resanovich asked the Board to address; the differences in density with incentives from 2.0 to 1.5 in the Zoning Code and Comprehensive Plan, whether the incentives should be included, changed, deleted and whether the density should be changed for this side of the river.

Motion

Motion to Continue the Workshop on May 09, 2017 at 7:00 pm in the Concord Township Administrative Building by Mr. Davis and seconded by Mrs. Farneman.

Vote: Resanovich, yes; Farneman, yes; Davis, yes; Pierce, yes; Smith, yes

Motion passed

ATTEST

Angie Ellerbrock
 Angie Ellerbrock
 Administrative Assistant

DATE APPROVED

4/20/2017

cc: ZC Members, Fiscal Officer, Zoning Inspector, File