NEW ALBANY
COMMUNITY CONNECTS US

New Albany Planning Commission Meeting Agenda
Monday, November 18, 2024 at 7:00 p.m.

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city website at https://newalbanyohio.org/answers/streaming-meetings/

I. Call to order

II. Roll call

III. Action on minutes: October 21, 2024

IV. Additions or corrections to the agenda
Administration of oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."

V. Hearing of visitors for items not on tonight's agenda

VI. Cases:

VAR-61-2024 Variance Reconsideration Request
Reconsideration request for a variance to the Nottingham Trace zoning text Section E(5)(c) to allow a covered porch to encroach into the 35 rear yard setback at 6309 Callaway Square West (PID: 222-005228).
Applicant: Nancy Willis

Motion of acceptance of staff reports and related documents into the record for the reconsideration of VAR-61-2024.

Motion to hear a reconsideration of application VAR-61-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

ZC-71-2024 Zoning Change
Rezoning of 30.04 acres generally located north and west of Lambton Park Road and south of Brandon Road (PID: 222-005185 and 46 others (see backside of agenda for complete parcel list)) from Comprehensive-Planned Unit Development (C-PUD) to Infill-Planned Unit Development (I-PUD).
Applicant: The New Albany Company LLC c/o Aaron Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for ZC-71-2024.

Motion of approval for application ZC-71-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

PPL-76-2024 Preliminary Plat

Preliminary plat for a 40 lot residential subdivision on 30.04 acres generally located north and west of Lambton Park Road and south of Brandon Road (PID: 222-005185 and 46 others (see backside of agenda for complete parcel list)).
Applicant: The New Albany Company LLC c/o Aaron Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for PPL-76-2024.

Motion of approval for application PPL-76-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-85-2024 Final Plat
Final plat for phase 1 of the Courtyards at Haines Creek subdivision located at 8390 and 8306 Central College Road in Franklin County (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
Applicant: Epcon Haines Creek, LLC

Motion of acceptance of staff reports and related documents into the record for - FPL-85-2024.

Motion of approval for application FPL-85-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPM-81-2024 Final Plat Modification
Final plat modification for 8 Hawksmoor Drive (PID: 222-004645-00).
Applicant: Trevor Arnold

Motion of acceptance of staff reports and related documents into the record for - FPM-81-2024.

Motion of approval for application FPM-81-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

VIII. Poll members for comment

IX. Adjournment

EAST NINE I-PUD

PARCELS INCLUDED IN REZONING and PRELIMINARY PLAT APPLICATION

Franklin County Auditor Parcel Numbers:

222-005185	222-005203	222-005183
222-005186	222-005204	222-005184
222-005187	222-005205	222-001668
222-005188	222-005206	222-005216
222-005189	222-005207	222-005218
222-005190	222-005208	222-004458 (limited portion)
222-005191	222-005209	
222-005192	222-005210	
222-005193	222-005211	
222-005194	222-005212	
222-005195	222-005213	
222-005196	222-005214	
222-005197	222-005215	
222-005198	222-005216	
222-005199	222-005217	
222-005200	222-005180	
222-005201	222-005181	
222-005202	222-005182	
222-005185		
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222-005185		
222-005185		

New Albany Planning Commission
Monday, October 21, 2024 DRAFT Meeting Minutes

I. Call to order

The New Albany Planning Commission held a regular meeting on Monday, October 21, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:01 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

Mr. Kirby	present
Mr. Wallace	present
Mr. Schell	present
Mr. Larsen	present
Ms. Briggs	present
Council Member Wiltrout	present

The commission, having all voting members present had a quorum to transact business.

Staff members present: Law Director Albrecht, Planner Blackburn, Planner Cratic-Smith, Planning Manager Mayer, Planner Saumenig, Deputy Clerk Madriguera.

III. Action on minutes: September 16, 2024

Chair Kirby asked whether there were any corrections to the minutes.

Hearing none, Commissioner Schell moved for approval of the September 16, 2024 meeting minutes. Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes, Mr. Larsen yes, Mr. Wallace abstained from the vote, Mr. Kirby yes, Ms. Briggs yes. Having four votes in favor, the motion passed and the September 16, 2024 meeting minutes were approved as submitted.

IV. Additions or corrections to the agenda

Chair Kirby asked whether there were any additions or corrections to the agenda.

Planning Manager Mayer answered none from staff.

Chair Kirby administered the oath to all present who planned to address the commission. Thereafter, he stated that now would be a good time to silence all cell phones.

V. Hearing of visitors for items not on tonight's agenda

Chair Kirby asked whether there were any visitors present who wished to address the commission for an item not on the agenda.

Hearing none, Chair Kirby introduced the first case and asked to hear from staff.

VI. Cases:

CU-72-2024 4761 Kitzmiller Road Cell Tower Extension
Conditional Use to allow for a 34' extension on an existing cell tower on 3.68 acres located at 4761 Kitzmiller Road (PID: 222-000580).
Applicant: Fullerton Engineering c/o Nora Geci

Planner Saumenig delivered the staff report.

Chair Kirby asked whether there were any comments from engineering.

Planning Manager Mayer responded that there were no comments from engineering.

Chair Kirby asked to hear from the applicant.

Applicant Ariel Stouder representing T-Mobile thanked Planner Saumenig for explaining the application. She reiterated that the area was heavily wooded and they were requesting extension of the existing tower in order to increase service.

Chair Kirby asked how far the base of the tower was from the nearest lot line.

Tom Rubey from the New Albany Company, who was present on another matter, approached the lecturn and responded that the nearest neighbor is on the east side of Kitzmiller Road.

Commissioner Schell asked whether staff had heard from the neighbors.

Planner Saumenig answered that staff had not.

Mr. Rubey responded that they had heard complaints that service was inadequate.

Commissioner Schell asked whether building another tower was the alternative to extending the existing tower.

Ms. Stouder answered yes, building a new tower was the alternative. She explained that the alternative was not ideal because they would have to find another location and would inconvenience other neighbors.

Chair Kirby asked if there was anyone from the public who wished to comment on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for CU-72-2024. Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record.

Commissioner Larsen moved for approval of CU-72-2024 as presented. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Larsen yes, Ms. Briggs yes, Mr. Schell yes, Mr. Kirby yes, Mr. Wallace yes. Having five yes votes, the motion passed and CU-74-2024 was approved.

The commission wished the applicant good luck.

Thereafter, Chair Kirby introduced the next case and asked to hear from staff.

VAR-68-2024 3805 Coldicott Leys
A variance to codified ordinance chapter 1165.04(a)(1) to allow a detached garage to be 995 square feet at 3805 Coldicott Leys (PID: 222-004765).
Applicant: F5 Design, Todd Parker

Planner Cratic-Smith delivered the staff report.

Chair Kirby asked whether there were comments from engineering.

Planner Cratic-Smith answered that there were no comments from engineering.

Commissioner Larsen asked whether a variance would still be required if the pool house was not a part of the structure.

Planning Manager Mayer answered that a variance would not be required because the structure would be less than 800 feet, which meets code. He further explained that the code has one standard that fits all uses.

Commissioner Larsen continued and asked whether multiple buildings were permissible as long as they are less than 800 feet.

Planning Manager Mayer answered yes, the code permits two detached structures.

Chair Kirby asked to hear from the applicant.

Applicant and Architect for the project Todd Parker thanked Planner Cratic-Smith. He explained that detail has been added to the design at the request of the New Albany Country Club Communities Architectural Review Committee. He further stated that he had spoken with the neighbors to the north and they have no issue with the structure.

Chair Kirby asked wheter there is an existing attached garage.

Mr. Parker answered yes. The existing attached garage has two bays. He further explained that because of the location of easements on the property it does not make a lot of sense to build more than one structure.

Commissioner Wallace asked how big the structure would be if the pool house was removed.

Mr. Parker answered that it would be 795 square feet.

Chair Kirby asked whether there were any further questions from the commission. Hearing none, he asked whether there was anyone present from the public who wished to comment on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for VAR-68-2024. Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes, Ms. Briggs yes. Having five yes votes, the motion passed and the staff reports and related documents for VAR-68-2024 were admitted to the record.

Commissioner Wallace moved for approval of VAR-68-2024 based on the findings in the staff report and noted there were no conditions in the staff report. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace no, Ms. Briggs yes, Mr. Larsen no, Mr. Kirby no, Mr. Schell no. Having one yes vote and four no votes, the motion failed 1-4.

Commissioner Wallace explained that he voted no because he did not believe the application met the practical difficulty requirement in *Duncan v. Middlefield*, and that it did not meet other required factors of the *Duncan* test. He further found that the applicant had an alternative to seeking a variance.

Chair Kirby concurred with Commissioner Wallace's findings and further stated that this issue can be solved in a manner other than the manner proposed in the variance.

Commissioner Larsen concurred with the findings and analyses of Commissioner Wallace and Chair Kirby.

Commissioner Schell concurred and further stated that his prudential reason for voting no was the fact that there was an alternate solution.

The commission thanked the applicant and wished him good luck.

VII. Other business

- **Informal review of the NACC Section 30 rezoning and preliminary plat application.**

Tom Rubey of the New Albany Company presented an informal review of the NACC Section 30 Rezoning. He explained that as they were preparing to bring the development to the market it did not seem right so it has been redesigned. The development has been approved for 36 lots but the redesigned development will have a 40 unit lot count. The application will be divided into two subareas and will include estate lots, country club homes, and close residences similar to Edge of Woods and to Sessions Village in Bexley. The close area will have some attached structures. There are lots of moving parts to this development and the applicants are ready to proceed with everything except for the Sessions Village piece. There will be a 1500-square foot single family home at the gate at Head of Pond Road.

Commissioner Wallace asked Mr. Rubey to indicate another area of New Albany that resembles the estate lots.

Mr. Rubey responded that the estate lots will likely be an acre in size, similar to High Grove Farms. There are no New Albany precedents for the Country Club Community homes but they will have high architectural expression and he could imagine stone being incorporated into them. He discussed the trees and the usage and placement of single rail, green, horse fencing. He discussed proposed changes to the storm water basin. The price points will be going higher and there will be an increase in architecture. However there will not be any surprises.

Chair Kirby asked whether the tighter tree spacing that is currently on Head of Pond be maintained.

Mr. Rubey responded no. American Elms will not be planted. There will be Beech trees and a couple of Willows trees. He explained that they are searching for the right size and species of trees. He continued that the current gateway at Head of Pond Road is sloppy and confusing and will be torn out and adjusted. The eight-foot wide leisure trail in the development will be replaced with a brick sidewalk. He concluded that he was before commission informally because this is such a significant departure.

Commissioner Schell asked whether the lots be released all at once.

Mr. Rubey responded that the Sessions Village piece will be released separately. The release has been considered many different ways but suspects it will be separate roll outs.

Commissioner Briggs asked about the timing of the release and whether he expected it to be over the next few months and whether it was safe to say a year-ish.

Mr. Rubey responded that he hoped so. The applicants have to work through the entitlement process and the regrading process. Through the winter they would be coordinating with utilities in order to move trees and perhaps roads.

Chair Kirby stated that it he would like to get the parking right.

Commissioner Larsen noted that the character of Sessions Village is very different from New Albany and asked how the existing residents would receive it.

Mr. Rubey responded that there will be no surprises here. This area will have the highest of architectural standards. They expect that it will take a decade for it to be absorbed and it is very exciting.

Commissioner Larsen asked if there was a particular purpose for the smaller, 1500 square foot house.

Mr. Rubey responded that it could be used for the realtors and then sold to a private owner.

The commission thanked Mr. Rubey and stated that they appreciated the preview.

- **Attendance of Members Rule Update – Amendments to C.O. 159.02(d)**
  PMM provided the update

Planning Manager Mayer updated the commission on the amendments to C.O. 159.02(d).

Council Member Wiltrout acknowledged that the commission met almost twice as much as any other board or commission, and further that their attendance was exemplary.

Chair Kirby asked if there were any questions. Hearing none he polled the members for comment.

VIII. Poll members for comment

Commissioner Larsen provided an update on the US-62 Interchange Focus Area Plan work group. He stated that there will be one more work group meeting. And the final open house is scheduled for December 2nd at 6:00 p.m. at the Heit Center and would be open to the public.

IX. Adjournment

Having no further business, Chair Kirby adjourned the October 21, 2024 meeting of the New Albany Planning Commission at 7:50 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix
CU-72-2024
Staff Report
Record of Action
VAR-68-2024
Staff Report
Record of Action

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
October 21, 2024 Meeting

4761 KITZMILLER RD CELL TOWER EXTENSION
CONDITIONAL USE

LOCATION:	4761 Kitzmiller Road (PID: 222-000580)
APPLICANT:	Fullerton Engineering c/o Nora Geci
REQUEST:	Conditional Use
ZONING:	Comprehensive Planned Unit Development (C-PUD): 1998 NACO C-PUD Subarea 2
STRATEGIC PLAN:	Residential
APPLICATION:	CU-72-2024

Review based on: Application materials received September 24, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The applicant requests approval of a conditional use to extend the height of an existing cell tower by 34 feet, increasing it from 75 feet to 109 feet. Codified ordinance section 1179.06(c) and (f) states that the tower extension requires a conditional use application to be heard by the Planning Commission.

II. SITE DESCRIPTION & USE

The 40.39-acre site is located on the west side of Kitzmiller Road, within the 1998 NACO C-PUD Subarea 2 zoning district. The site is heavily wooded with a pond. Surrounding uses include wooded and vacant lots to the north, residential to the south and west, and residential and a golf course to the east.

III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the requirements below. Per Codified Ordinance Section 1113.05, the property owners within 200 feet of the property in question have been notified.

(a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.

Uses:

- The applicant proposes to extend an existing cell tower by 34 feet, increasing its height from 75 feet to 109 feet.
- The existing total site size is 40.39 acres.
- The existing cell tower is located on a heavily wooded portion of a lot that is used for agricultural purposes. The tower is setback approximately 835 feet setback from Kitzmiller Road.

- The applicant states the reasoning for the extension is this is the only tower in the area that will allow T-Mobile to mount its antennas at a height necessary to fulfill the community's coverage needs. The alternative option would be to construct a new tower.
- It does not appear that the proposed extension use will alter the character of the surrounding area. The cell tower is already in place and sits a significant distance from Kitzmiller Road.

Landscaping:

- The site is already heavily wooded and the cell tower is existing therefore, landscaping requirements are met as the cell tower is screened by existing trees.

(b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

- The proposed use is harmonious with the existing and intended character of the general vicinity. The cell tower is already existing and adding 34 feet will not alter the character of the general vicinity. Additionally, it is set back over 800 feet from Kitzmiller Road and surrounded by a wooded area.
- The proposed extension is appropriate as it achieves what T-Mobile needs for coverage without the need to install an additional cell tower in the surrounding area.
    i. The city code promotes shared use/collocations of towers and wireless support structures as a primary option rather than construction of additional single use towers.

(c) The use will not be hazardous to existing or future neighboring uses.

- The use does not appear to be hazardous to the existing or future neighboring uses.

(d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

- While this standard is not applicable as the site does not include any development, it's important to note access for maintenance of the cell tower is existing.

(e) The proposed use will not be detrimental to the economic welfare of the community.

- The proposed use does not appear to be detrimental to the economic welfare in the city.

(f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

- It does not appear the site will involve operations that will be detrimental to adjacent uses. The cell tower is already existing and will not produce excessive traffic or any other off-site impacts.

(g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

- The lot does not have any curb cuts or public access along Kitzmiller Road however, there is appropriate access for maintenance of the cell tower.

III. SUMMARY

The overall proposal is consistent with the code requirements for a wireless telecommunication facility conditional use. The cell tower is already existing and therefore, the applicant is only requesting to add 34 feet, increasing its height from 75 feet to 109 feet. The request is to use an existing cell tower rather than building a new one in the area, promoting the collocation of

equipment on a current tower. Additionally, the lot is large in size and is developed with a densely wooded area that assists in screening the cell tower.

ACTION

The Commission shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved with supplementary conditions, the Planning Commission shall direct staff to issue a zoning permit listing the specific conditions listed by the Planning Commission for approval.

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate:

Move to approve application CU-72-2024

Approximate Site Location:



☆Approximate location of cell tower
Source: Nearmap

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Nora Geci

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, October 22, 2024

The New Albany Planning Commission took the following action on 10/21/2024 .

Conditional Use

Location: 4761 KITZMILLER RD
Applicant: Fullerton Engineering c/o Nora Geci

Application: PLCU20240072
Request: Conditional Use to allow for a 34' extension on an existing cell tower on 40.39 acres located at 4761 Kitzmiller Road (PID: 222-000580).
Motion: To approve

Commission Vote: Motion Approved, 5-0

Result: Conditional Use, PLCU20240072 was Approved, by a vote of 5-0.

Recorded in the Official Journal this October 22, 2024

Condition(s) of Approval: N/A

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
October 21, 2024 Meeting

3805 COLDICOTT LEYS
DETACHED GARAGE SIZE VARIANCE

LOCATION:	3805 Coldicott Leys (PID: 222-004765)
APPLICANT:	Todd M. Parker, F5 Design/Architecture Inc.
REQUEST:	Variance to codified ordinance chapter 1165.04(a)(1) to allow a detached garage to be 995 square feet.
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-68-2024

Review based on: Application materials received on September 20, 2024.

Staff report prepared by Sierra Cratic-Smith, Planner I

I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a detached garage to be 995 square feet where code permits a maximum of 800 square feet.

The applicant seeks to expand their existing detached garage by adding an addition that includes a pool house and space for a parking space for a third car.

II. SITE DESCRIPTION & USE

The property is 0.74 acres and contains a single-family home. The lot is located within the New Albany Country Club Section 28 Ebrington. The property is west of Ebrington Road and south of Highgrove. There is a golf course to the west, and all other neighboring properties are and are developed with residential homes.

III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

Criteria

The standard for granting of an area variance is set forth in the case of Duncan v. Village of Middlefield, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the "practical difficulties" standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*

2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a "substantial detriment."*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the "spirit and intent" of the zoning requirement and whether "substantial justice" would be done by granting the variance.*

Plus, the following criteria as established in the zoning code *(Section 1113.06)*:

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

IV. EVALUATION

Variance to allow a detached garage to be 995 square feet where city codified ordinance Chapter 1165.04(a)(1) permits a maximum of 800 square feet.

The following should be considered in the board's decision:

1. This variance requests to allow a detached garage to be 995 square feet where city-codified ordinance Chapter 1165.04(a)(1) permits a maximum of 800 square feet since the property is 0.74 acres. The city code allows a maximum square footage for detached structures based on the size of the lot.
    a. The city code regulations for the size of detached structure is "for lots less than one acre, a structure may have an area up to eight hundred (800) square feet; for lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred (1,200) square feet, and for lots larger than two (2) acres may have an area up to one thousand six hundred (1,600) square feet."
2. The applicant seeks to expand their existing detached garage by adding an addition that includes a pool house and space for a parking space for a third car. The third car parking spot is proposed on the northern façade, and the pool house is proposed on the south façade.
3. The variance does not appear to be substantial. The property is 32,334 square feet in area and the new garage is proposed to be 995 square feet large. Therefore, the new proposed garage only covers 3% of the lot. The garage expansion to the north is adjacent to the neighbor's backyard space.
4. The variance preserves the spirit and intent of the zoning requirement because the subdivision is a cluster development pattern. A cluster development pattern allows for a larger buildable footprint on smaller lots. The larger detached building preserves the goal of cluster development which is to place buildings closer together, in a denser development pattern. The larger detached structure meets all the intent since it continues the denser development pattern.

5. This property is larger than most cluster homes in the area since it is on a corner lot.
    a. Most cluster homes within this subdivision are less than 0.40 acres large. This property is 0.74 acres. Because the lot is larger than most in Ebrington, the increased size of the garage appears to be proportionate, as it only occupies 3% of the total lot area.
6. The proposed addition will not alter the neighborhood's character since the detached structure's architectural design is consistent with the existing home. It features matching windows, folding doors, and hardie board siding and brick water table that matches the home and enhances the aesthetic. Additionally, the detached structure is well-screened from the neighboring property to the north by arborvitae landscaping. Visibility from the public is reduced because there is an adjacent golf course to the west and a pond to the south.
7. The variance preserves the spirit and intent of the zoning requirement by optimizing the use of existing structures to enhance the lot's functionality and quality. The proposed detached garage expansion will include new rooms on both the north and south sides. These high-quality additions comply with the city-codified ordinances and do not infringe on any easements.
8. The granting of the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.
9. This variance does not negatively impact the delivery of government services.

IV. SUMMARY

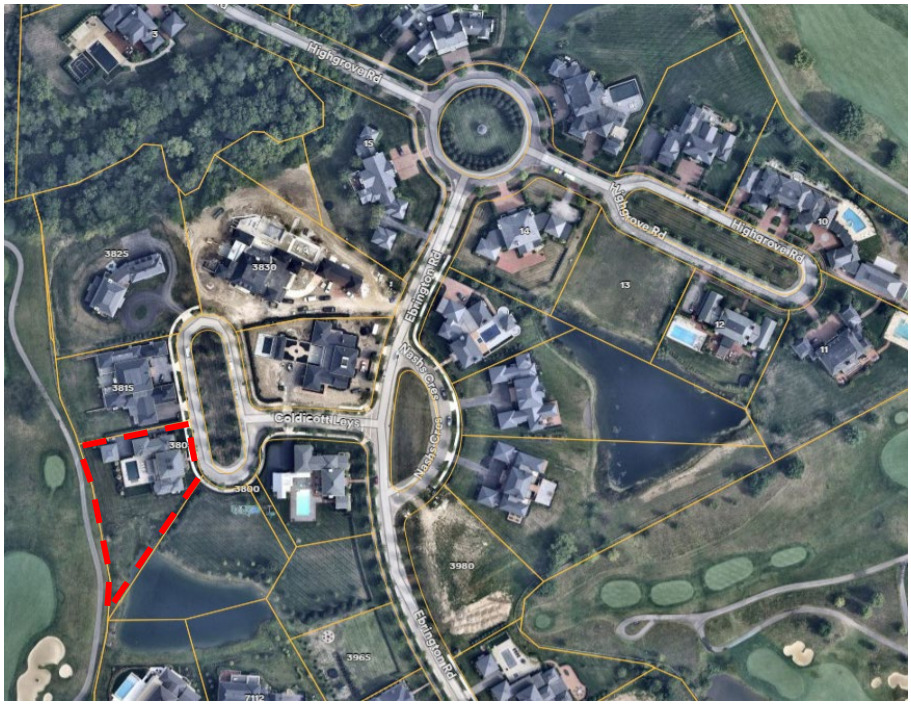
The subdivision allows a cluster development, and the larger building supports the goal of fostering a denser building pattern by positioning structures closer together. Furthermore, the design of the new addition enhances the lot's architectural design and functionality and is properly scaled to the primary residence. Notably, the proposed expansion represents only a small three percent increase in total lot coverage. The detached garage complies with all other applicable zoning codes.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion is appropriate.

Move to approve application VAR-68-2024 based on the findings in the staff report (conditions of approval may be added).

Approximate Site Location:



Source: NearMap

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Todd Parker,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, October 22, 2024

The New Albany Planning Commission took the following action on 10/21/2024 .

Variance

Location: 3805 Coldicott Leys, Unit:13
Applicant: Todd Parker,

Application: PLVARI20240068
Request: Variance to allow a detached garage to be 995 square feet where city codified ordinance Chapter 1165.04(a)(1) permits a maximum of 800 square feet.
Motion: To Approve

Commission Vote: Motion Denied, 1-4

Result: Variance, PLVARI20240068 was Denied, by a vote of 1-4.

Recorded in the Official Journal this October 22, 2024

Condition(s) of Approval: N/A.

Staff Certification:

Sierra Cratic-Smith
Planner

Planning Commission Staff Report
November 18, 2024 Meeting

6309 CALLAWAY SQUARE WEST
COVERED PORCH ENCROACHMENT VARIANCE
RECONSIDERATION REQUEST

LOCATION:	6309 Callaway Square West (PID: 222-005228-00)
APPLICANT:	Nancy Willis, homeowner
REQUEST:	Reconsider a variance to allow a covered porch to encroach 6 feet into the rear yard setback
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-61-2024

Review based on: Application materials received November 1, 2024.

Staff report completed by Stephen Mayer, Planning Manager

I. REQUEST AND BACKGROUND

The homeowner requests reconsideration of a variance application the Planning Commission reviewed and denied on September 16, 2024. The variance request was to allow for the construction of a covered patio and fireplace to encroach approximately 6 feet into the 29-foot rear yard setback. This staff report is only to decide if the variance should be reconsidered.

The September submittal material included two site plans, one that shows the patio and fireplace encroaching 4 feet into the setback and another that shows the improvements encroaching 6 feet into the setback. The city staff realized the difference on the day of the meeting and presented the variance as a 4-foot encroachment at the meeting even though the staff report evaluated the encroachment as 6 feet to err in favor of the homeowner.

II. SITE DESCRIPTION & USE

The property is 0.16 acres and contains a single-family home. The lot is west of New Albany Conduit Road and south of Walnut Street. The property is located within the Nottingham Trace subdivision. All the neighboring properties are residential.

III. ASSESSMENT

Per Codified Ordinance 159.06(c) (Reconsideration of Commission/Board Action) the Planning Commission may reconsider any action it has taken upon its own motion for good cause shown. Any action denying or disapproving an application, other than one involving an incomplete application, may be reconsidered no later than the second regular meeting after the original action from which reconsideration is being requested was taken, only if the applicant or its designee clearly demonstrates one of the following:

1. Circumstances affecting the subject property or item under consideration have substantially changed; or
2. New information is available that could not with reasonable diligence have been presented at a previous hearing.

Since the September hearing the homeowner made the following updates:

- Revised the site plan so the fireplace no longer encroaches into the rear yard setback. The setback encroachment has been reduced to approximately 3 feet.
- Submitted additional information that wasn't available at the September meeting including site photos and a letter of support from the homeowner behind the applicant's property.

The homeowner has submitted the following information:

- Reconsideration Letter to Planning Commission
- Exhibit A-Application and Staff Recommendation
- Exhibit B-Decision and Record of Action
- Exhibit C- 6309 Callaway Square West - Side Elevations, site plan, and building plan
- Exhibit D-Excerpt from Transcript of Planning Commission Hearing 9.16.2024
- Exhibit E-Duro Neighbor Letter of Support
- Exhibit F-Photos of 6309 Callaway Sq W
- Exhibit G-6321 Callaway Sq W
- Exhibit H-Nottingham Trace Phase 3 Recorded Plat
- Exhibit I- Deed to 6309 Callaway Square West

V. ACTION

Should the Planning Commission find that the reconsideration request has sufficient basis for approval, the following motion is appropriate:

Move to reconsider variance application VAR-61-2024 pursuant to Codified Ordinance 159.

If the motion passes, staff recommends that the board immediately table the application until the next regularly scheduled meeting date so that the surrounding neighbors can be notified of the hearing and staff can prepare staff report containing a full evaluation of the proposal. The following motion is appropriate:

Move to table variance application VAR-61-2024 until the next regularly scheduled Planning Commission meeting.

Approximate Site Location:



Source: NearMap

November 1, 2024

New Albany Planning Commission
99 West Main Street
New Albany, Ohio 43054

Request for Reconsideration of Denial of Application: VAR-61-2024

The New Albany Planning Commission held a hearing on the above variance application on September 16, 2024. A copy of the application, along with the Planning Commission Staff Report is attached as Exhibit A. The Planning Commission denied the variance request. A copy of the Decision and Record of Action is attached as Exhibit B.

Since receiving the denial, circumstances affecting the subject property have substantially changed. The plan for the proposed porch has been revised to locate the proposed fireplace chimney (2 feet in depth) to the left side of the porch, instead of extending 2 feet into the back yard. *See* Revised Plan, attached as Exhibit C. Under the revised plan, the chimney will be brick, as the Commission requested. The original application incorrectly stated that '[t]he rear of the house is located 36.97' from the rear lot line." Exhibit A, p. 3 (unnumbered) at ¶ 3. This measurement did not take into account the 2' recess in the exterior wall at the rear of the house where the covered porch would be located. The measurement from the rear lot line to the exterior rear wall of the house (where the porch would be located) is 38.97 feet. There is a 35-foot special rear yard setback. "Decks, patios, and screened porches may encroach a maximum of 6 feet into the minimum required rear yard setback." Zoning Regulation E(6). "The Zoning text for the subdivision does say for all decks, patios and screen porches, so it's covered or uncovered, we believe that this regulation would apply." *See* excerpt of Sept. 16, 2024 Hearing Transcript, attached as Exhibit D, p. 4. Therefore, 3.97' of the backyard is outside of the setback. The revised plan requests a variance of 2.03'.

I previously requested a variance of 4' (including the chimney), for which the planning commission staff recommended approval. The staff noted: "The variance does not appear to be substantial." Exhibit D, p. 1. "The house located behind this property [7558 Schleppi Road] is over 220 ft away from the property line, and there appears to be an exiting tree line that provides buffering as well." *Id.* at p. 2. "The proposed covered patio doesn't alter…the neighborhood's essential character because it's similar to others in the subdivision. However, the proposed fireplace includes siding on the exterior. According to the Nottingham Trace Zoning Text, only brick is permitted as an exterior material for fireplaces." *Id.*

New information is available, which is discussed below.

Justin and Brittany Duro, the owners of the property (7558 Schleppi Road, New Albany, Ohio 43054), which abuts the rear lot line of the subject property, have submitted a letter stating that they do not object to the requested variance. They did not attend the September hearing or contact the staff prior to that hearing. The Duro's letter is attached as Exhibit E. I have also attached photographs of the backyard of my property, which abuts 7558 Schleppi Road. These photographs (1) show the back of my house (1 photo) and (2) the tree and bush line buffer between my property and the Schleppi Road property (2 photos) as Exhibit F.

The adjoining neighbors' patios were discussed during the September 16, 2024 meeting. A member of the commission stated: "We don't know if the other patios are in the same setback or not or compliance, so that would be important to understand, I think to make a decision." Sept. 16,

2024 Minutes Transcript, p. 4. Since the meeting, I have learned that the property owners at 6321 Callaway Square West, a neighboring property to the right of the subject property, were given a permit to build a 12' x 22' patio. The patio extends beyond the allowable 6' encroachment, and the property owners were not required to seek a variance. The permit application and two photos of the patio at 6321 Callaway Square West are attached as Exhibit G. The survey shows that the property has a 35.08' back yard. The patio begins at the recessed 4' rear exterior wall of the house. Factoring in the allowable 6' encroachment, the 12' patio extends 1.92' into the 35' setback. The property owners were not required to obtain a variance. I'm simply asking to do what these property owners have already been permitted to do.

The Commission and the staff also discussed at the hearing that shrinking the patio was a viable alternative to a variance. Exhibit D, pp. 2, 4. "I know shrinking those patio sometimes makes it difficult, but there is an option to shrink it…so instead of 12ft out, ten feet out." *Id.* at p. 4. The contractor, Jeff Boroveyz of Suncraft, testified that "the width of the porch 12ft is kind of a minimum if you ask me. For a usable space to be able to put furniture, a table and chairs, and I'd hate to see it become narrower than that because it would really, you know, make the space not as usable." *Id.* at p. 2-3. Reducing the patio from a depth of 12' would result in inadequate space to accommodate a wheelchair and furniture. I have family members and friends in wheelchairs. I also was in a wheelchair on and off for almost two months last year. The Better Homes and Gardens website advises that a dining area for six to eight people requires a 12x12 space and pathways should be 3-4 feet wide. https://www.bhg.com/home-improvement/patio/designs/how-to-choose-patio-size/ (last accessed 10/31/2024). Reducing the depth of the patio to 10' does not provide a viable alternative.

Finally, the recorded plat map for Nottingham Trace Phase 3 identifies the lot I purchased in Nottingham Trace as Lot 107. A copy of the recorded plat map is attached as Exhibit H. The deed to me identifies the property as Lot 107. A copy of the deed is attached as Exhibit I. The zoning regulations state that Lot 107 has a rear yard setback of 15'. Zoning Regulation E(5)(d). This raises potential legal issues.

In conclusion, the 35' rear yard setback affects only 10 properties in Nottingham Trace, a development that currently consists of more than 150 homes. Since so few properties are affected, allowing the requested variance will not open a floodgate of variance requests or set a generally applicable precedent. Furthermore, a literal interpretation of the zoning regulations would deprive me of rights commonly enjoyed by my neighbors and other properties in the neighborhood, while granting the variance will not confer any special privilege to my property. For the reasons listed above, I respectfully ask the Commission to reconsider my variance application as revised and approve a 12' x 27.10' patio as described in Exhibit C.

Respectfully submitted,

Nancy Ashbrook Willis
6309 Callaway Square West
New Albany, OH 43054

Enclosures

NEW ALBANY
COMMUNITY CONNECTS US

EXHIBIT
A

Planning Commission Staff Report
September 16, 2024 Meeting

6309 CALLAWAY SQUARE WEST
COVERED PORCH & FIREPLACE ENCROACHMENT VARIANCE

LOCATION:	6309 Callaway Square West (PID: 222-005228-00)
APPLICANT:	Suncraft Corporation, Inc.
REQUEST:	Variance to allow a covered porch and fireplace to encroach 6 feet into the 29 foot rear yard setback
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-61-2024

Review based on: Application materials received on August 19, 2024.

Staff report prepared by Sierra Cratic-Smith, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a new covered porch and fireplace to encroach approximately 6 feet into the 29-foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c). The zoning text allows for decks, screened porches and patios to encroach into the building setback a maximum of 6 feet. In this case, the minimum rear yard setback for this covered porch with a fireplace (considered to be part of the porch since it is attached to it) is 29 from the rear lot line. The applicant proposes a setback of 23 feet from the rear lot line.

II. SITE DESCRIPTION & USE

The property is 0.16 acres and contains a single-family home. The lot is west of New Albany Conduit Road and south of Walnut Street. The property is located within the Nottingham Trace subdivision. All the neighboring properties are residential.

III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

Criteria

The standard for granting of an area variance is set forth in the case of Duncan v. Village of Middlefield, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the "practical difficulties" standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*

3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a "substantial detriment."*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the "spirit and intent" of the zoning requirement and whether "substantial justice" would be done by granting the variance.*

Plus, the following criteria as established in the zoning code *(Section 1113.06)*:

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

IV. EVALUATION

Variance to allow a covered porch and fireplace to encroach 6 feet into the 29 foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c).

The following should be considered in the board's decision:

1. The applicant requests a variance to allow a 25-foot wide by 12-foot deep covered porch and two-foot deep fireplace to encroach approximately six feet into the 29-foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c). The homeowner proposes to construct a covered patio using columns with a fireplace attached to the end of it.
2. The rear yard primary building setback for this property is 35 feet. The home is located 37 +/- feet from the rear property line. The zoning text allows for decks, screened porches and patios to encroach into the primary building setback a maximum of six feet. Therefore, the minimum rear yard setback for decks, screened porches and patios is 29 feet. As a result, the property owner has eight feet of developable space for decks, screened porches and patios. The homeowner proposes to encroach the 29 foot setback by six feet.
3. There do not appear to be special conditions and circumstances exist which are peculiar to this property. All of the lots along this western boundary of the subdivision have the same setback. However, the subdivision has varying building setback requirements. Interior lots typically have a 15 to 20 foot primary building setback. Lots located on the periphery of the subdivision, such as this one, have larger setbacks since they are adjacent to existing township or Columbus residences.
4. The rear of the property beyond the covered porch is a swale condition with a large drop-off in grade that conveys stormwater runoff. The drainage easement is 20 feet in width and the applicant is not proposing to encroach into the easement. While not required, it appears landscape buffering cannot be installed between the covered patio and rear lot line due to the drainage easement.

5. The variance does not appear to be substantial. The zoning contemplates rear yard amenities such as this to encroach the setbacks. Additionally, the applicant does not propose to encroach into the drainage easement. The house located behind this property is over 220 feet away from the property line and there appears to be an existing tree line to provide buffering.
6. The proposed addition does not appear to alter the neighborhood's essential character because the addition style is similar to other additions in the subdivision. In addition, the design of the columns for the porch will match the front elevation.
    a. The proposed fireplace includes siding on the exterior. According to the Nottingham Trace zoning text, only brick is permitted as an exterior material for fireplaces. Therefore, city staff recommends a condition of approval requiring the fireplace chimney material be changed to brick (condition #1).
7. It appears the variance can be solved in some other manner by reducing the covered patio's size. The zoning text contemplates encroachments and permits a 6-foot encroachment into the rear yard setback for all lots. If the size of the patio and fireplace were reduced by 6 +/- feet, there would be no need for a variance.
8. The variance will not adversely affect the delivery of government services, the health, and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. SUMMARY

The lot has a larger rear yard setback than a typical home within the subdivision since it is located on the boundary of the subdivision and is adjacent to a township residence. The existing house (outside of the subdivision) behind the subject property is over 220 feet away and there is an existing tree line. The covered patio will not impact any public or private utilities or stormwater conveyance.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion is appropriate.

Move to approve application VAR-61-2024 based on the findings in the staff report (conditions of approval may be added).

1. The exterior of the fireplace shall be brick.

Approximate Site Location:



Source: NearMap

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Site Address 6309 Callaway Square West
Parcel Numbers 222 - 005228
Acres 0.158ac # of lots created _____

☐☐Appeal				
☐☐Certificate of Appropriateness				
☐☐Conditional Use				
☐☐Development Plan	Preliminary	Final	Comprehensive	Amendment
☐☐Plat	Preliminary	Final		
☐☐Lot Changes	Combination	Split	Adjustment	
☐☐Minor Commercial Subdivision				
☐☐Vacation	Easement		Street	
XX Variance				
☐☐Extension Request				
☐☐Zoning	Amendment (rezoning)		Text Modification	

Description of Request: construct 26'x12' open porch w/fireplace on rear of house that will encroach approximately 10' into 35' rear yard setback

Property Owner's Name: Nancy Willis
Address: 6309 Callaway Square West
City, State, Zip: New Albany, OH 43054
Phone number: (740)501-4487 Fax: _____
Email: naw1026@gmail.com

Applicant's Name: Suncraft Corporation, Inc. - James Knox
Address: 122 W. Johnstown Road
City, State, Zip: Gahanna, OH 43230
Phone number: (614)475-0000 Fax: (614)475-0986
Email: jim@suncraftdesignbuild.com or info@suncraftdesignbuild.com

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner _____ Date: _____
Signature of Applicant Suncraft Corp., Inc. by _____ Date: 8/15/24

Fees & Submittal Requirements

Plat – Subdivision Final			
	Planning	650.00	
	Plus each lot	15.00 / each	
	Engineering fee 1-25 lots (minimum fee $1,000.00)	155.00 /each	
	Engineering fee 26-50 lots	3875.00	
	Each lot over 26	75.00 / each	
	Engineering fee Over 51 lots	5750.00	
	Each lot over 51	50.00 / each	
Lot Changes		200.00	
Minor Commercial Subdivision		200.00	
Vacation (Street or Easement)		1200.00	
Variance			
	Non-single family, commercial, subdivision, multiple properties	600.00	
	Single Family residence	250.00	250.00
	In conjunction with Certification of Appropriateness	100.00	
Extension Request		0.00	
Zoning			
	Rezoning - First 10 acres	700.00	
	Each additional 5 acres or part thereof	50.00 / each	
	Rezoning to Rocky Fork Blacklick Accord	250.00	
	Text Modification	600.00	
Easement Encroachment		800.00	

August 30, 2023

VARIANCE STATEMENT
6309 Callaway Square West
New Albany, OH 43054

We hereby request a variance to construct an open porch with fireplace which will encroach into the rear yard setback. The property is located in the subdivision of Nottingham Trace Phase 3.

The zoning for this neighborhood is IPUD.

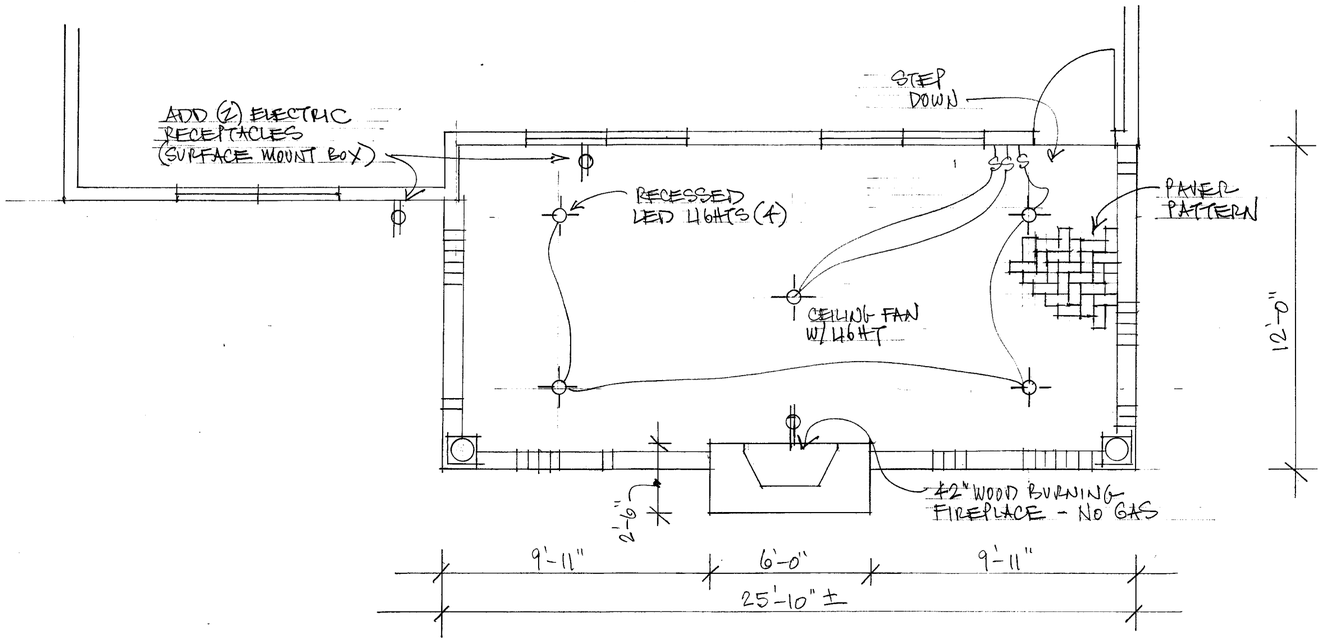
Per zoning code section 1113.03 (e) statements

1. The variance is sought to allow the homeowner to construct an open porch with fireplace at the rear of the house similar in size to neighboring properties.
2. The rear property line is adjacent to an unincorporated area of New Albany . The text in the plat of the sub-division states that there is a 35' rear yard setback. This causes a hardship to the property owner. The rear of the house is located 36.97' from the rear lot line and is only 1.97' fromt the 35' setback. Granting of this variance will enable the property owner the ability to add a porch similar in size to their neighbors.
3. This variance request is justified because of the hardship presented by the unusually large setback requirement to a property that is in an unincorporated area of New Albany.
4. Please see the attached site plan indicating the location of the proposed porch and the locations of the setback and drainage easement for consideration in approving the variance application.
5. The proposed porch will not alter or affect the drainage of the property.

The variance is requested so that the homeowners can enjoy outdoor space on their property.

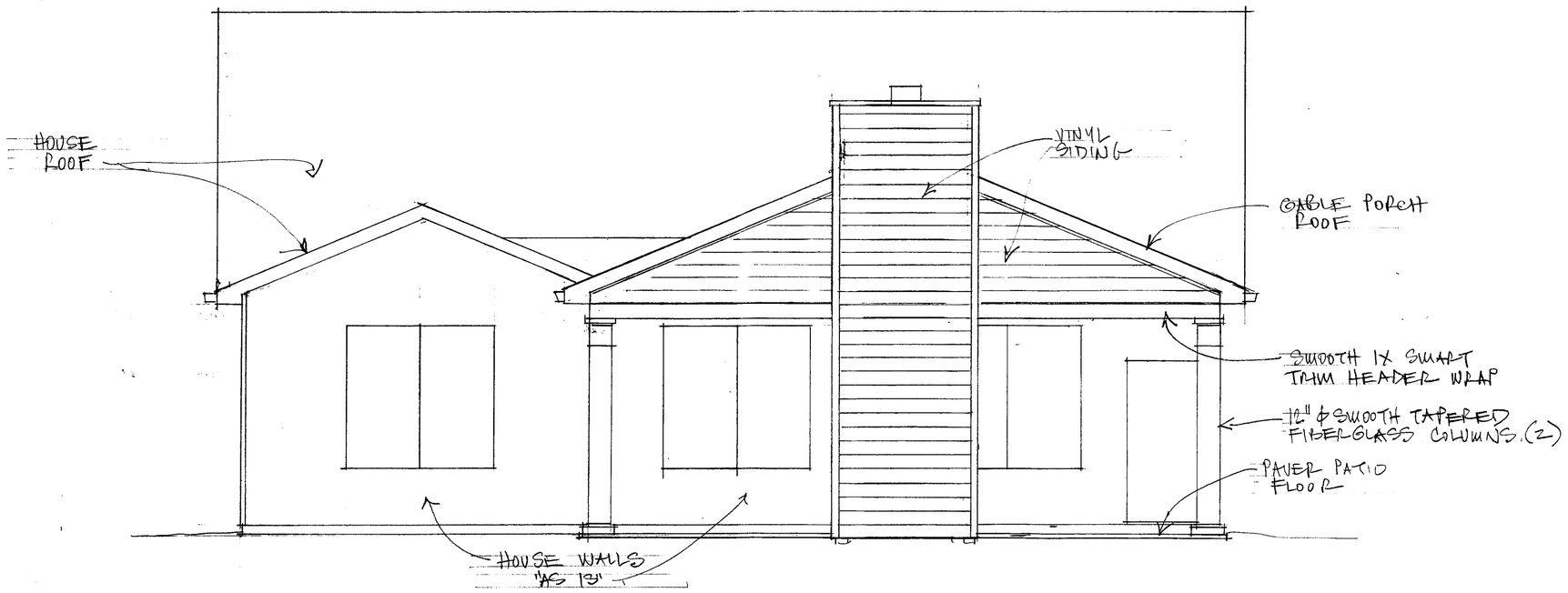
Submitted by:

James Knox
Permit Coordinator
Suncraft Corporation, Inc.
122 W. Johnstown Road
Columbus, OH 43230
(614) 475-0000
jim@suncraftdesignbuild.com



PORCH PLAN

INTERIOR & EXTERIOR OF PORCH TO BE PAINTED WHITE
SW ARTIC WHITE - SATIN
#JH.10-20



REAR ELEVATION

SUNCRAFT®
DESIGNED RIGHT. BUILT RIGHT.
Suncraft Corporation, Inc.
122 West Johnstown Road
Columbus, OH 43230
Phone: (614) 475-0000
Fax: (614) 475-0986
COPYRIGHT Suncraft Corporation, Inc. retains the common law copyright to this material appearing herein. This material is the property of Suncraft Corp., Inc. and is not to be used for any purpose other than construction by Suncraft Corp., Inc. All drawings and written material appearing herein constitute original and unpublished work of Suncraft Corp., Inc. and the same may not be copied, used or disclosed without the written consent of Suncraft Corp., Inc.

DESIGNER BJ
SCALE 1/4"=1'-0"
DATE 26 JULY 24
CHECKED
REVISED

APPROVED _____ DATE _____
APPROVED _____ DATE _____

NANCY WILLIS
6309 CALLOWAY SQ. W, NEW ALBANY
NAN 6309

☐ PRELIMINARY
☐ PERMIT
■ CONSTRUCTION

CONTRACT - PLAN #	SHEET #
24121	1

LANDMARK SURVEY GROUP, INCORPORATED
690 LAKEVIEW PLAZA BLVD, SUITE A, WORTHINGTON OH.43085
PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM

REVISIONS	DESCRIPTION
11/09/22	HOUSE REVISED (PY)

ORDER NO. NTR3-107-PP DATE: 10/25/22

FOR PULTE HOMES HOUSE STYLE ASCEND HR3W COUNTY OF FRANKLIN

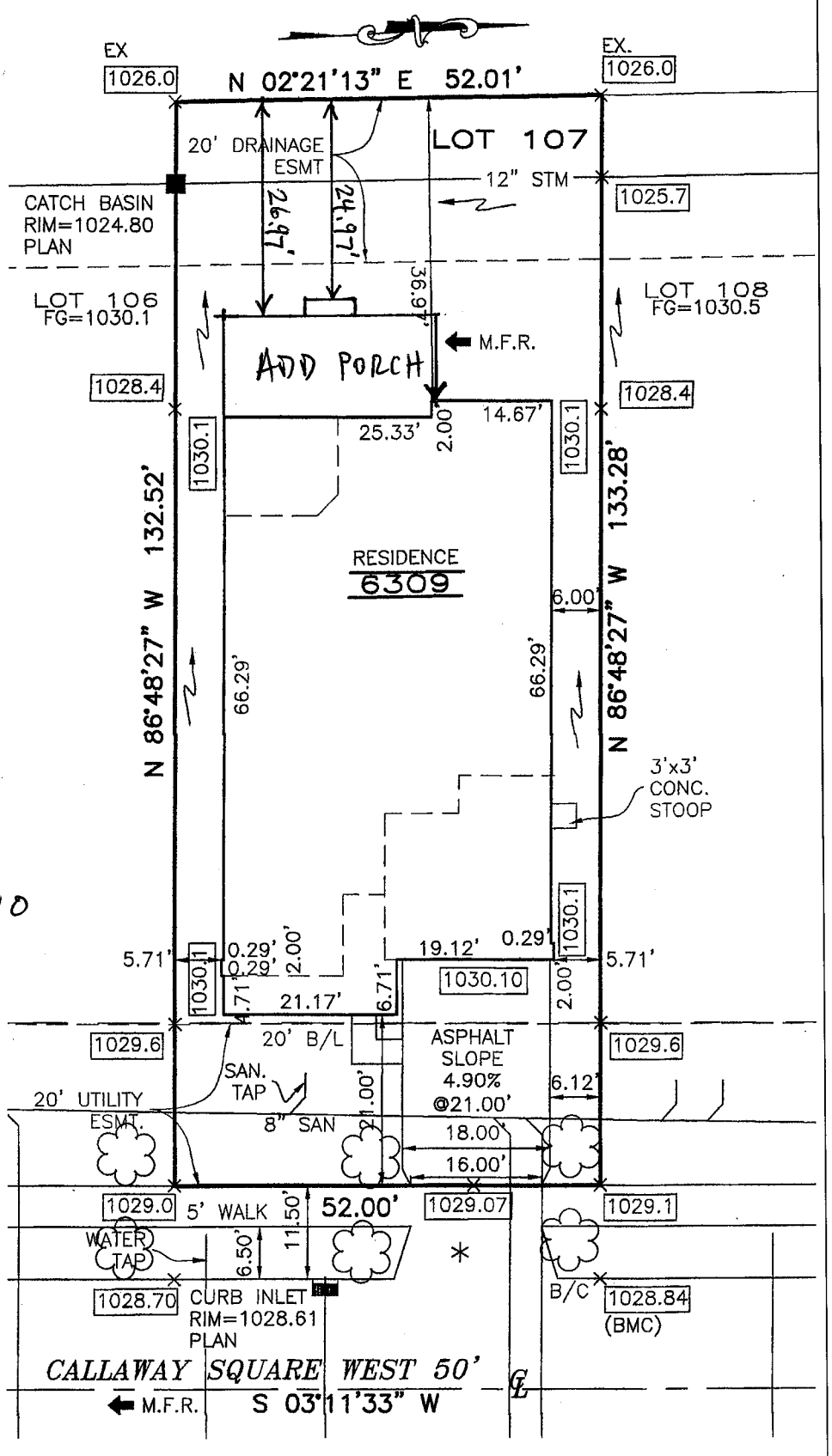
LOT/SUBDIVISION LOT 107 / NOTTINGHAM TRACE PHASE 3 CITY/TWP OF NEW ALBANY

ADDRESS 6309 CALLAWAY SQUARE WEST SCALE 1"= 20' DRAWN BY: PY

MINIMUMS: DEFAULT R: 20' S: 5' BK: 132 PG: 138

DocuSigned by:
Nancy Willis 11/10/2022
A08B0D389B9246F...

NANCY WILLIS
6309 CALLAWAY SQ W.
NEW ALBANY, OH 43054
PARCEL # 222-005228-00



THE STREET AND LOT TREE SPECIMENS SHALL COMPLY WITH FINAL DEVELOPMENT PLAN FOR NOTTINGHAM TRACE. REFERENCE DEVELOPMENT PLAN FOR ADDITIONAL INFORMATION. THE BUILDER WILL BE BONDING THIS WORK.

* STABILIZE CONSTRUCTION ENTRANCE.

LOT CALCULATIONS ARE FOR ESTIMATING PURPOSES ONLY AND SHOULD BE VERIFIED BY THE BUILDER OR CONTRACTOR.

LOT CALCULATIONS	
LOCATION	AREA
LOT	6888 S.F.
STRUCTURE	2811 S.F.
DRIVE	497 S.F.
APPROACH	197 S.F.
SER WALK	25 S.F.
WALK	180 S.F.
SOD	3636 S.F.
SOD S.Y.	404 S.Y.
DRIVE S.Y.	55 S.Y.
LOT AC	0.158 Ac.
LOT COV	40.81%
SAN LAT	6

PULTE SLAB (TRENCH & CAP)	
FINISH FLOOR	= 1030.77
FINISH GRADE	= 1030.10
GARAGE PAD	= 1030.10
TOP OF FOOTER	1029.77
BOTTOM OF FOOTER	= 1027.10
DRIVE SLOPE DISTANCE	= 21

THIS PROPERTY IS LOCATED IN FLOOD ZONE X.
MAP NO. 39049C 0202K
EFF. DATE: 6/17/08

BUILDER TO INSTALL AND MAINTAIN EROSION CONTROL THROUGHOUT ALL PHASES OF CONSTRUCTION. FIELD MODIFICATIONS MAY BE NECESSARY.

WE HEREBY CERTIFY THAT THE FOREGOING PLOT PLAN WAS PREPARED FROM INFORMATION PROVIDED BY THE CLIENT AND DATA OBTAINED FROM ENGINEERED SUBDIVISION PLANS. THIS PLOT PLAN IS TO BE USED BY THE CLIENT FOR THE SOLE PURPOSE OF OBTAINING A BUILDING PERMIT. THE USE OF THE PLOT PLAN FOR ANY OTHER USE IS STRICTLY PROHIBITED.

STATE OF OHIO
SCOTT D. GRUNDEI
S-8047
REGISTERED
PROFESSIONAL SURVEYOR

Scott D. Grundei 10/25/22
SCOTT D. GRUNDEI, P.S. DATE
REGISTERED SURVEYOR NO. 8047

NEW ALBANY

EXHIBIT

B

exhibitsticker.com

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Suncraft Corporation Inc.,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, September 17, 2024

The New Albany Planning Commission took the following action on 09/16/2024 .

Variance

Location: 6309 Callaway Square W, Unit:107
Applicant: Suncraft Corporation Inc.,

Application: PLVARI20240061
Request: A variance request to the Nottingham Trace zoning text Section E(5)(c), to allow a covered porch and fireplace to encroach 4 feet into the 29 foot rear yard setback.
Motion: To approve

Commission Vote: Motion Denied, 1-3

Result: Variance, PLVARI20240061 was Denied, by a vote of 1-3.

Recorded in the Official Journal this September 17, 2024

Condition(s) of Approval: N/A

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner

LANDMARK SURVEY GROUP, INCORPORATED
690 LAKEVIEW PLAZA BLVD, SUITE A, WORTHINGTON OH.43085
PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM

REVISIONS	DESCRIPTION
11/09/22	HOUSE REVISED (PY)

ORDER NO. NTR3-107-PP DATE: 10/25/22

FOR PULTE HOMES HOUSE STYLE ASCEND HR3W COUNTY OF FRANKLIN

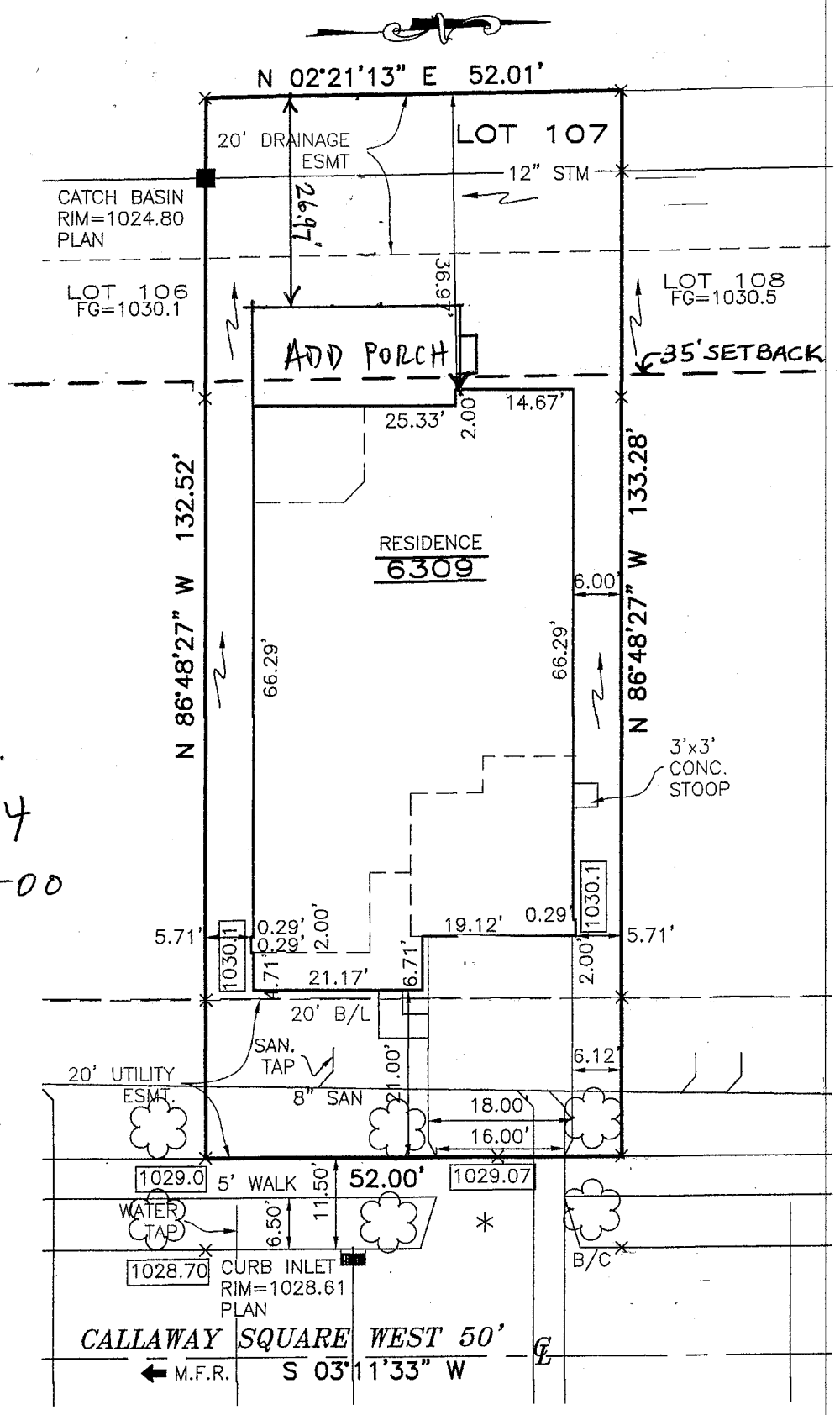
LOT/SUBDIVISION LOT 107 / NOTTINGHAM TRACE PHASE 3 CITY/TWP OF NEW ALBANY

ADDRESS 6309 CALLAWAY SQUARE WEST SCALE 1"= 20' DRAWN BY: PY

MINIMUMS: DEFAULT R: 20' S: 5' BK: 132 PG: 138

DocuSigned by:
Nancy Willis 11/10/2022
A08B0D389B9246F...

NANCY WILLIS
6309 CALLAWAY SQ W.
NEW ALBANY, OH 43054
PARCEL # 222-005228-00



THE STREET AND LOT TREE SPECIMENS SHALL COMPLY WITH FINAL DEVELOPMENT PLAN FOR NOTTINGHAM TRACE. REFERENCE DEVELOPMENT PLAN FOR ADDITIONAL INFORMATION. THE BUILDER WILL BE BONDING THIS WORK.

* STABILIZE CONSTRUCTION ENTRANCE.

LOT CALCULATIONS ARE FOR ESTIMATING PURPOSES ONLY AND SHOULD BE VERIFIED BY THE BUILDER OR CONTRACTOR.

LOT CALCULATIONS	
LOCATION	AREA
LOT	6888 S.F.
STRUCTURE	2811 S.F.
DRIVE	497 S.F.
APPROACH	197 S.F.
SER WALK	25 S.F.
WALK	180 S.F.
SOD	3636 S.F.
SOD S.Y.	404 S.Y.
DRIVE S.Y.	55 S.Y.
LOT AC	0.158 Ac.
LOT COV	40.81%
SAN LAT	6

PULTE SLAB (TRENCH & CAP)
FINISH FLOOR = 1030.77
FINISH GRADE= 1030.10
GARAGE PAD= 1030.10
TOP OF FOOTER 1029.77
BOTTOM OF FOOTER= 1027.10
DRIVE SLOPE DISTANCE= 21

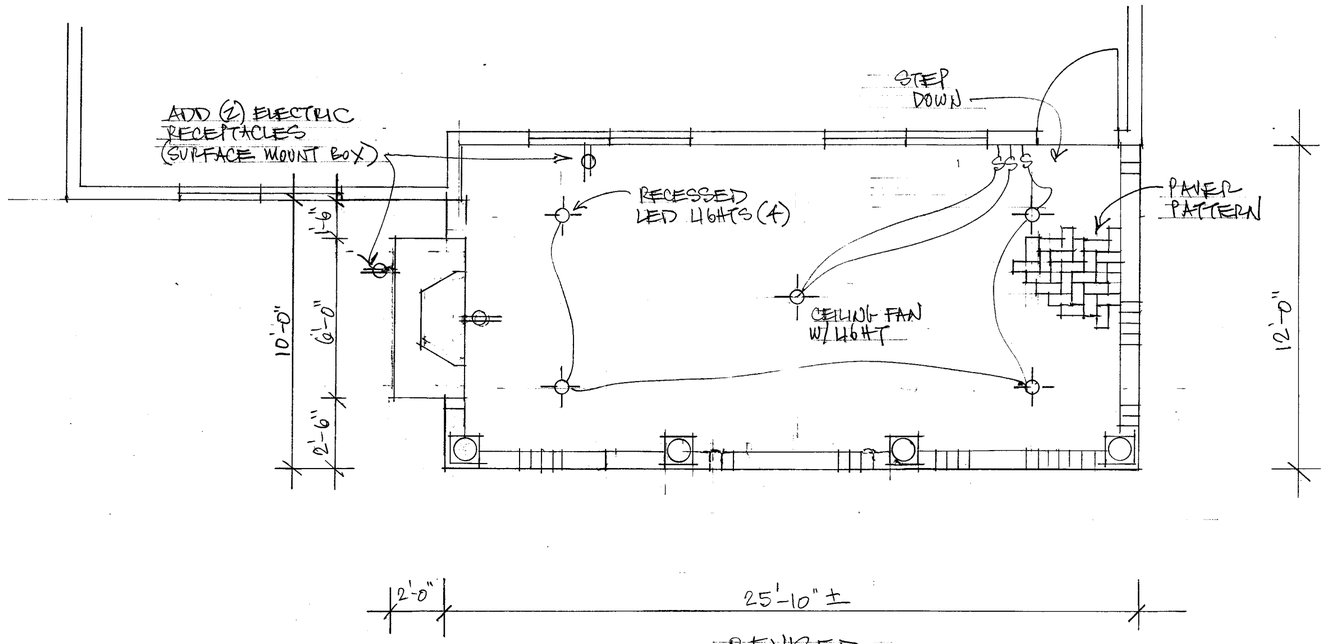
THIS PROPERTY IS LOCATED IN FLOOD ZONE X.
MAP NO. 39049C 0202K
EFF. DATE: 6/17/08

STATE OF OHIO
SCOTT D. GRUNDEI
S-8047
REGISTERED PROFESSIONAL SURVEYOR

BUILDER TO INSTALL AND MAINTAIN EROSION CONTROL THROUGHOUT ALL PHASES OF CONSTRUCTION. FIELD MODIFICATIONS MAY BE NECESSARY.

WE HEREBY CERTIFY THAT THE FOREGOING PLOT PLAN WAS PREPARED FROM INFORMATION PROVIDED BY THE CLIENT AND DATA OBTAINED FROM ENGINEERED SUBDIVISION PLANS. THIS PLOT PLAN IS TO BE USED BY THE CLIENT FOR THE SOLE PURPOSE OF OBTAINING A BUILDING PERMIT. THE USE OF THE PLOT PLAN FOR ANY OTHER USE IS STRICTLY PROHIBITED.

Scott D. Grundei 10/25/22
SCOTT D. GRUNDEI, P.S. DATE
REGISTERED SURVEYOR NO. 8047

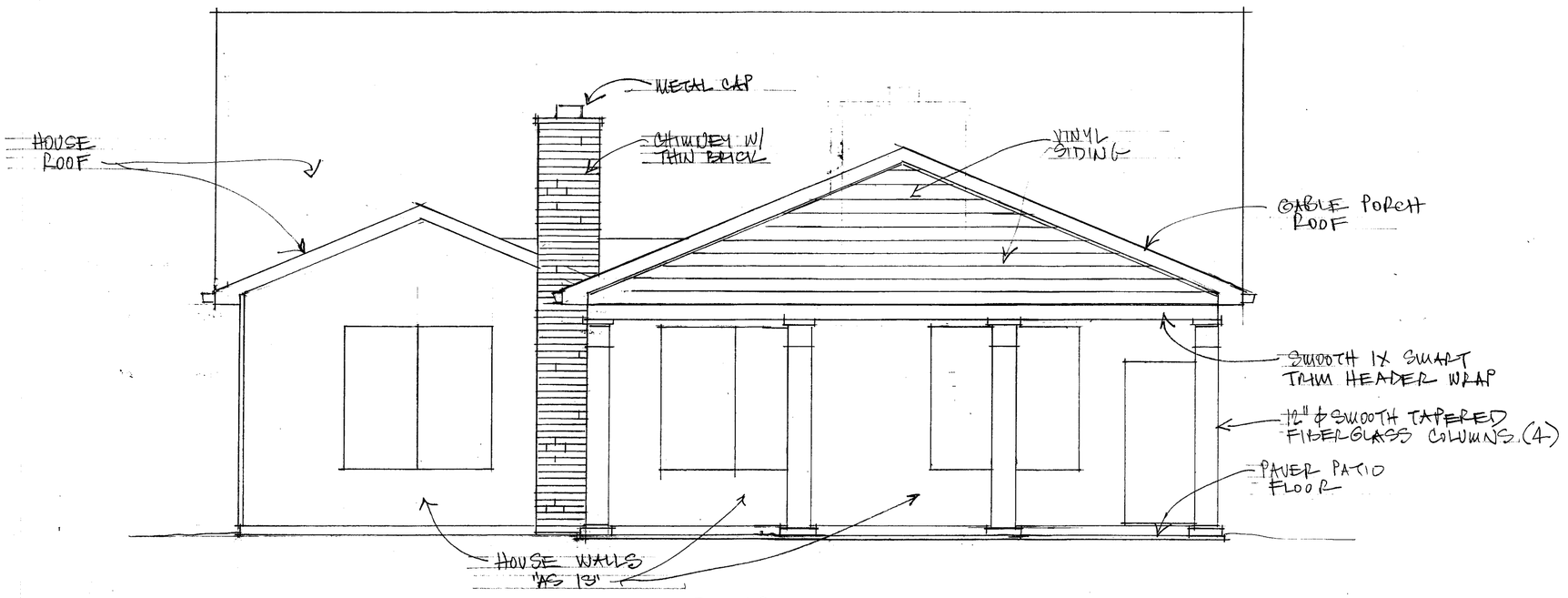


REVISED

PORCH PLAN

INTERIOR & EXTERIOR OF PORCH TO BE PAINTED WHITE

SW ARTIC WHITE - SATIN
#JH.10-20



REVISED

REAR ELEVATION

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DESIGNER BJJ
SCALE 1/4"=1'-0"
DATE DEC OCT 24
CHECKED
REVISED

APPROVED DATE
APPROVED DATE

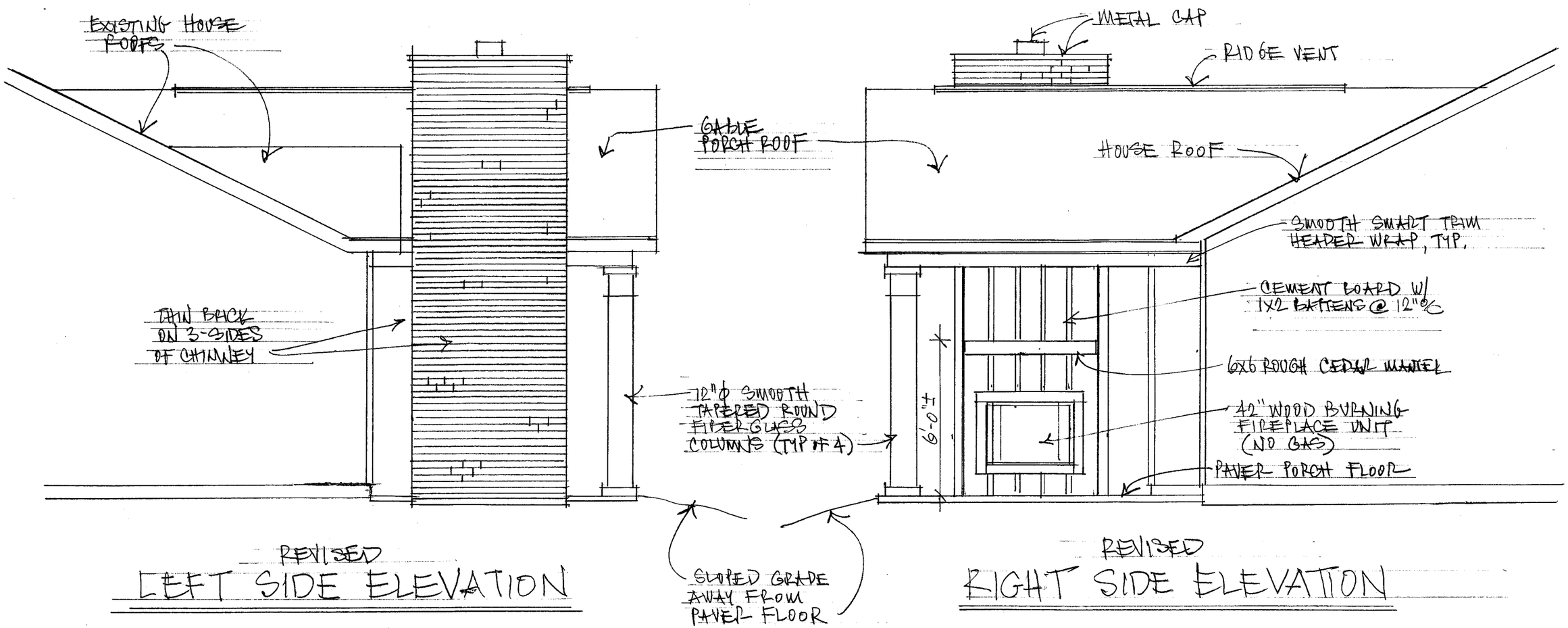
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NANCY WILLIS
6309 CALLOWAY SQ. W, NEW ALBANY

☐ PRELIMINARY
☐ PERMIT
■ CONSTRUCTION

CONTRACT - PLAN #	SHEET #
24121	1

SUNCRAFT
WILLIS JOB 24121
APPROVED BY:
X _____



REVISED
LEFT SIDE ELEVATION

REVISED
RIGHT SIDE ELEVATION

EXHIBIT
D
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+[I. Call to order]

[00:00:07]

IS STAFF READY? YES. COMMISSION MEMBERS. I'D LIKE TO CALL THE ORDER OF THE PLANNING COMMISSION MEETING FOR MONDAY, SEPTEMBER THE 16TH. COULD YOU THE ROLL, PLEASE? MR. KIRBY? PRESENT. MR. SHELL. PRESENT. MR. LARSON. PRESENT, MISS BRIGGS. HERE MR. WALLACE. COUNCIL MEMBER WILTROUT HERE. HERE ARE FOUR VOTING MEMBERS PRESENT. WE HAVE A QUORUM. THANK YOU. ITEM THREE IS

[III. Action on minutes: August 19, 2024]

ACTION ON THE MINUTES FROM AUGUST THE 19TH. ARE THERE ANY CORRECTIONS TO THE AUGUST 19TH? MINUTES NOT FROM ME. DO YOUR MOTION ON THE AUGUST 19TH MINUTES. I'LL MOVE TO APPROVE THE MINUTES FROM OUR AUGUST 19TH, 2024 MEETING. DO I HEAR A SECOND? I WILL SECOND IT. ANY DISCUSSION ON THE MOTION FOR THE MINUTES? THANK YOU. THE ROLL PLEASE. MR. SHELL. YES. MR. KIRBY. YES. MISS BRIGGS. ABSTAIN MR. LARSON. YES. MOTION PASSES. THERE ARE THREE VOTES TO APPROVE

[IV. Additions or corrections to the agenda]

THE MINUTES AS PRESENTED. THANK YOU. ARE THERE ANY ADDITIONS OR CORRECTIONS TO THE AGENDA FROM STAFF? SORRY, NONE FROM STAFF. OKAY. CAN I DO A QUICK POLL? HOW MANY PEOPLE HERE FOR THE HAMLET? RAISE YOUR HANDS. OKAY. I'D LIKE TO REORDER THE HAMLET LAST SO THAT THE OTHER TWO CASES, WHICH SHOULD BE RELATIVELY SHORT, CAN GET OUT OF HERE IN CASE THE HAMLET TAKES A RELATIVELY LONG TIME. SO WITH THAT, WE GO TO ITEM. WE GO TO ITEM FOUR, EVERYONE WHO WISHES TO ADDRESS THE COMMISSION TONIGHT, PLEASE RISE. DO YOU SWEAR TO TELL THE TRUTH AND NOTHING BUT THE TRUTH? THANK YOU. AND WHILE WE'RE AT IT, LET'S MAKE OUR PHONES SILENT TOO. SORRY. ITEM FIVE IS FOR HEARING OF VISITORS FOR ITEMS THAT ARE NOT ON TONIGHT'S AGENDA. DO WE HAVE ANY SUCH VISITORS TONIGHT? HEARING NONE, WE MOVE ON TO OUR CASES. WE'VE MOVED THE HAMLET TO LAST SO THAT

[VI. Cases]

TAKES US TO VARIANCE OF 6124. CAN WE HEAR FROM STAFF, PLEASE? THANK YOU. CHAIR, JUST AS A HEADS UP, THE CITY STAFF HAS MISINTERPRETED THE BUILDING DISTANCE FROM THE REAR YARD LOT LINE. SO THE STAFF REPORT SAYS THAT IT IS AN ENCROACHMENT OF SIX FEET. WHEN, HOWEVER, THERE'S ACTUALLY AN ENCROACHMENT OF FOUR FEET. THIS PROPERTY IS WITHIN THE NOTTINGHAM TREE SUBDIVISION AND CONTAINS A SINGLE FAMILY HOME. IT IS WEST OF THE NEW ALBANY CONDUIT ROAD AND SOUTH OF WALNUT STREET. AS YOU CAN SEE, IT'S HIGHLIGHTED IN RED HERE. THE REAR YARD BUILDING SETBACK FOR THE PROPERTY IS 35FT, AND THE ZONING TEXT ALLOWS FOR ENCROACHMENTS OF COVERED PATIOS UP TO SIX FEET IN THE BUILDING SETBACK. THEREFORE, THE COVERED PATIO SETBACK IS 29FT AND THE DRAINAGE EASEMENT IS THE DRAINAGE EASEMENT IS 20FT IN WIDTH AND THE APPLICANT IS NOT PROPOSING TO ENCROACH INTO THE EASEMENT, WHICH WILL NOT IMPACT ANY PUBLIC OR PRIVATE UTILITIES OR STORMWATER CONVEYANCE. THEREFORE, THE VARIANCE DOES NOT APPEAR TO BE SUBSTANTIAL. THE

VARIANCE DOES NOT APPEAR TO HAVE ANY SPECIAL CONDITIONS AND CIRCUMSTANCES WHICH EXIST AND ARE PECULIAR TO THE PROPERTY. INTERIOR LOTS TYPICALLY HAVE ABOUT 15 TO 20FT FOR THE PRIMARY BUILDING SETBACK. HOWEVER, LOTS LOCATED ALONG THE PERIPHERY OF THE SUBDIVISION, SUCH AS THIS ONE HAVE LARGER SETBACKS SINCE THEY ARE ADJACENT TO EXISTING TOWNSHIP RESIDENCES.

ADDITIONALLY, THE HOUSE IS LOCATED THE HOUSE LOCATED BEHIND THIS PROPERTY IS OVER 220FT AWAY FROM THE PROPERTY LINE, AND THERE APPEARS TO BE AN EXISTING TREE LINE THAT PROVIDES BUFFERING AS WELL. YOU CAN KIND OF SEE IT ALONG THE LINE HERE, AND THIS IS WHERE THE HOME IN THE TOWNSHIP IS. THE PROPOSED COVERED PATIO DOESN'T ALTER THE NEIGHBOR'S. THE NEIGHBORHOOD'S ESSENTIAL CHARACTER BECAUSE IT'S SIMILAR TO OTHERS IN THE SUBDIVISION. HOWEVER, THE PROPOSED FIREPLACE INCLUDES SIDING ON THE EXTERIOR, ACCORDING TO THE NOTTINGHAM TRACE ZONING TEXT, ONLY BRICK IS PERMITTED AS AN EXTERIOR MATERIAL FOR FIREPLACES.

THEREFORE, CITY STAFF RECOMMENDS A CONDITION OF APPROVAL REQUIRING THE FIREPLACE CHIMNEY MATERIALS BE CHANGED TO BRICK. THE VARIANCE CAN BE SOLVED IN ANOTHER MANNER BY REDUCING THE COVERED PATIO SIZE. IF THE SIZE OF THE PATIO AND FIREPLACE WERE REDUCED BY ABOUT FOUR FEET, THERE WOULD BE NO NEED FOR INVARIANCE AND ALL THE LOT HAS A LARGE REAR YARD SETBACK. THEN

[00:05:06]

THE TYPICAL HOME WITHIN THE SUBDIVISION, SINCE IT'S LOCATED ON THE BOUNDARY OF THE OF THE SUBDIVISION AND IS ADJACENT TO A TOWNSHIP RESIDENCE, THE EXISTING HOME BEHIND THE SUBJECT PROPERTY IS 220FT AWAY, AND THERE IS AN EXISTING TREE LINE FOR BUFFERING, AND AT THIS TIME STAFF WILL TAKE QUESTIONS. OKAY, ANY FROM THE COMMISSION FOR STAFF? DID WE HEAR FROM ANY OF THE NEIGHBORS? WE DID NOT. THANK YOU. CAN WE HEAR FROM THE APPLICANT? HI. MY NAME IS JEFF HOROVITZ. I'M WITH SUN CRAFT AND WE ARE THE APPLICANT AND THE BUILDER FOR THE PROJECT. OKAY.

IS THERE ANYTHING YOU WISH TO ADD TO WHAT WAS JUST PRESENTED? I THINK IT WAS WELL DESCRIBED.

THE ONLY OTHER THING THAT THE ACTUAL SURVEY CALLS THIS LOT NUMBER 107. BUT THEN I WAS TOLD THAT THE LOTS WERE ALL RENUMBERED BECAUSE LOT NUMBER 107 HAS A 15 FOOT REAR YARD SETBACK, WHICH WOULD MAKE THIS A VARIANCE APPLICATION, NOT NECESSARY. AND I DON'T KNOW IF ANY OF YOU KNOW ABOUT THAT. YES. SO THE REGULATIONS ARE BASED ON THE LOT NUMBERS AT THE TIME OF THE REZONING, BASED ON THE REZONING EXHIBIT. HOWEVER, DUE TO PHASING CONSTRUCTION, PHASING OF THE SUBDIVISION ITSELF, THE LOT NUMBERS WERE CHANGED AS THEY WERE PLACED ON THE PLAT ITSELF AND HOW THEY WERE RECORDED. SO THERE'S THE A LOT NUMBER THAT HAS TO DO WITH THE SUBDIVISION, PER THE APPROVED PLATS. AND THEN THERE'S A SEPARATE LOT NUMBER THAT HAS TO DO WITH THE ZONING REGULATIONS. SO IN ANY EVENT, THE WIDTH OF THE PORCH 12FT IS KIND OF A MINIMUM. IF YOU ASK ME, FOR A USABLE SPACE TO BE ABLE TO PUT FURNITURE, A TABLE AND CHAIRS, AND I'D HATE TO SEE IT BECOME ANY

NARROWER THAN THAT, BECAUSE IT WOULD REALLY, YOU KNOW, MAKE THE SPACE NOT AS USABLE. OKAY. ANY QUESTIONS FROM THE COMMISSION? YEAH IS IT IS THE APPLICANT OKAY WITH USING BRICK? I BELIEVE THE HOMEOWNER IS HERE AT THE MEETING, AND SHE INDICATED THAT SHE IS OKAY WITH CHANGING THE MATERIAL ON THE CHIMNEY TO BRICK. OKAY. IF YOU COME TO THE MIC WITH YOUR NAME AND ADDRESS, SIR, CAN YOU STEP UP SO THE MIC WILL PICK UP? I'M SORRY. YEAH, I'M NANCY WILLIS, I'M THE HOMEOWNER, AND I'M FINE. I TOLD JEFF I'M FINE WITH USING BRICK. THAT'S NOT AN ISSUE FOR ME AT ALL. AND THE ONLY OTHER THING I WANTED TO SAY IS THAT, TWO OF MY NEIGHBORS, IMMEDIATE NEIGHBORS ON THE ONE SIDE, HAVE, PATIOS THAT EXTEND 12FT. SO IT WOULD BE IN KEEPING WITH THE REST OF THE HOUSES AND THE NEIGHBORHOOD, TO ALLOW ME TO DO THE 12FT. AND I TOTALLY AGREE WITH JEFF. IT TEN FEET IS A PRETTY NARROW SPACE, ESPECIALLY WHEN YOU'VE GOT A FIREPLACE.

THERE THAT'S TAKING UP PART OF IT. SO QUESTION FOR STAFF. IF THE FIREPLACE WAS NOT ATTACHED TO THE PORCH, WOULD IT NOT BE CONSIDERED PART OF THE. WOULD IT. WOULD THAT COUNT AS PART OF THE ENCROACHMENT STILL? LIKE IF IT WAS MORE LIKE A FIRE PIT? IT PROBABLY WOULD BE CONSIDERED, A SEPARATE IMPROVEMENT THAN YET NOT PART OF THE COVERED PORCH. SO IT MIGHT HAVE A DIFFERENT SETBACK. WE COULD LOOK THAT UP. DO WE KNOW THE PATIO SETBACK? SO THE PATIO SETBACK IS THAT 29FT? SO COVERED PORCHES, PATIOS AND DECKS IS WHAT THE ZONING TEXT SAYS CAN ENCROACH SIX FEET INTO THE REQUIRED BUILDING SETBACK. SO YOUR NEIGHBORS ARE ARE OVER THE LINE THEN? WELL THE NEIGHBORS HAVE NO ROOF, JUST A PATIO, JUST A PATIO. BUT IT DOES EXTEND 12FT OUT FROM THE BACK OF THEIR HOUSE. THAT WAS ALL THE ONLY POINT I WAS TRYING TO MAKE THAT THEY APPARENTLY HAD TO GET PERMITS, BUT NOT VARIANCES BECAUSE THEY DIDN'T WANT TO COVER THEIRS. HOWEVER, FOR ME, I WOULD BE MUCH MORE USABLE TO HAVE A COVERED SPACE THAN SITTING OUT IN THE BLARING SUN ALL DAY. YEAH DO WE? ALL RIGHT. IS THAT A PROBLEM? I SEE, SO THIS IS NEIGHBORS, YOUR DIRECT NEIGHBORS AS OPPOSED TO OTHER PEOPLE IN THE NEIGHBORHOOD? YES WELL, OKAY, SO MY HOUSE IS HERE.

THE NEIGHBOR ON THIS SIDE, ON THE RIGHT OF ME, AND THE NEXT HOUSE ON THE RIGHT OF ME, BOTH HAVE, PATIOS THAT EXTEND 12FT AND THEN 20 SOMETHING FEET. DO YOUR WALLS LINE UP ON THE HOUSE? DO THE REAR WALLS LINE UP ON THE HOUSES? YES. SO THEY'RE NOT STAGGERED? I THINK SO, RIGHT? I

[00:10:05]

DON'T KNOW. I THINK MY IMMEDIATE NEIGHBOR, SIMILAR ON ONE SIDE DOES, BUT NOT ON MY LEFT SIDE.

YEAH. SO THERE'S VARIOUS HOME ELEVATIONS THAT HAVE DIFFERENT LENGTHS AND WIDTHS. SO IT COULD BE THAT JUST THE HOUSE IS SLIGHTLY SMALLER OR IT DOESN'T PROJECT AS FAR TO THE BACK OF THE LOT. BUT NO, WE'RE NOT AWARE OF ANY OTHER VARIANCES. WITHIN THE AREA FOR PATIOS, BUT COULD THE ZONING TEXT FOR THE SUBDIVISION DOES SAY FOR ALL DECKS, PATIOS AND SCREEN PORCHES. SO WHETHER IT'S COVERED OR UNCOVERED, WE

BELIEVE THAT THIS REGULATION WOULD APPLY. SO EVEN IF SO, EVEN IF IT WAS UNCOVERED, THEY WOULD STILL BE IN THIS POSITION. THAT'S CORRECT.

STEVE, DID YOU JUST SAY YOU DON'T RECALL ANY OTHER VARIANCES LIKE THIS IN THIS SUBDIVISION? YEAH. NONE THAT WE'RE AWARE OF. WELL, THERE'S ONLY A FEW HOUSES ON THAT ARE AFFECTED BY THIS 35 FOOT SETBACK ALONG MY LITTLE STRIP AT THE END OF THE OF THE STREET. SO THEY'RE THE ONLY HOUSES IT LOOKS LIKE FROM THE PLOT THING THAT ARE AFFECTED BY IT. MAYBE 5 OR 6 HOUSES. ANYONE ELSE FROM THE PUBLIC WITH QUESTIONS OR COMMENTS? FROM THE COMMISSION. WE IF WE BECAUSE WE DON'T KNOW IF THE OTHER PATIOS ARE IN THE SAME SETBACK OR NOT OR COMPLIANCE. SO THAT WOULD BE IMPORTANT TO UNDERSTAND. I THINK TO MAKE A DECISION. WELL, NO, THOSE ARE BASICALLY EITHER BEING IN COMPLIANCE OR NOT. RIGHT. WE'RE MAKING A DECISION ON VARIANCE. YEAH OKAY. I MOVE TO ACCEPT THE STAFF REPORTS AND RELATED DOCUMENTS INTO THE RECORD FOR VARIANCE OF 61 2024.

YOUR SECOND ON THE DOCUMENTS MOTION. SO I'LL SECOND IT. ANY DISCUSSION ON THE DOCUMENTS CALL THE ROLL PLEASE. MR. KIRBY. YES. MR. LARSON. YES. MR. SHELL. YES. MISS BRIGGS. YES. THE MOTION PASSES. THERE ARE FOUR VOTES TO ACCEPT THE DOCUMENTS INTO THE RECORD. I MOVE FOR APPROVAL OF VARIANCE 61 2024. SUBJECT TO CONDITION IN THE STAFF REPORT. DO I HEAR A SECOND? SECOND. ANY DISCUSSION ON THE VARIANCE ITSELF? OKAY. THE ROLL. MR. KIRBY? NO MISS BRIGGS. YES MR. SHELL. NO MR. LARSON. NO THE MOTION FAILS WITH ONE VOTE IN FAVOR AND THREE VOTES AGAINST.

FOR THE RECORD, CAN YOU EXPLAIN THE NOTES? OH, THANK YOU, I DON'T THINK IT MEETS THE DUNCAN CRITERIA. AND IN PARTICULAR, AS MANY OF THOSE ARE POINTED OUT IN THE STAFF REPORT, SUCH AS, YOU KNOW, IT'S NOT PARTICULARLY THE CONDITION IS NOT PARTICULAR TO THIS HOUSE. IT'S SHARED AMONGST THAT WHOLE ROW. AND, IT'S NOT THERE'S A WHOLE PILE OF THINGS IN THE DUNCAN CONDITION, AND I DON'T THINK IT MEETS THEM. THE PREPONDERANCE DOES NOT MEET THEM. YEAH, I WOULD AGREE, ESPECIALLY TO DUNCAN. WHERE THERE'S ANOTHER CHOICE TO AS MUCH AS WE HATE TO SAY NO. AND I KNOW SHRINKING THOSE PATIOS SOMETIMES MAKES IT DIFFICULT, BUT THERE IS AN OPTION TO SHRINK IT. AND, TO WHAT DIMENSION ARE YOU ASKING IT TO BE? SEE, RIGHT NOW, I THINK THE PORCH IS 28.97 26.97. CALL IT 27FT. SO YOU'RE SAYING TAKE TWO FEET OFF. STAY OUT OF IT. STAY OUT OF THE VARIANCE. STAY OUT OF THE ZONE. THAT'S SO INSTEAD OF 12FT OUT, TEN FEET OUT. IS THAT WHAT YOU'RE SAYING? THAT WOULD NOT BE. I DID CHECK WITH STAFF TO HAVE THE EXACT NUMBERS, AND THEY'RE THE ONES THAT APPROVED THE PERMITS ON HOW TO GET IT DONE. YEAH, WE'RE CERTAINLY HAPPY TO MEET AFTER THE MEETING OR SET UP A MEETING WITH YOU SOMETIME THIS WEEK TO GO OVER OPTIONS. SO WOULD THAT OBVIATE THE NEED FOR A VARIANCE THEN IF WE DID THAT? THAT'S WHAT WE'RE HAPPY TO DISCUSS WITH YOU. YEAH. OKAY. YEAH. ALL RIGHT. THANK YOU. GO GET YOUR PAPERWORK AND GET IT DONE. YEAH. THANK YOU. MINDS THE SAME THING. IT'S LIKE THIS ISN'T A UNIQUE CONDITION. IT CAN BE SOLVED IN ANOTHER MANNER. AND SO WITHOUT A VARIANCE, WE COULD DO IT THAT WAY. ALL RIGHT. WELL,

YOU KNOW, VOTE TO, OH, WAIT. YEAH OKAY. THANK YOU.

EXHIBIT

E

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October 31, 2024

Dear Planning Commission:

We own the property located at 7558 Schleppi Road, New Albany, Ohio 43054. In September 2024, we received a letter from the City of New Albany regarding a variance request by our neighbor, Nancy Willis, whose property shares a rear lot line with our property. We did not oppose the variance being requested, so we did not contact the Commission or attend the public hearing held on September 16, 2024. Ms. Willis has informed us that the variance was denied and that she is requesting reconsideration of her variance application. We are writing to inform you that we have no objection to the variance being requested by Ms. Willis. We hope you will consider our position when you reconsider the variance request. If you have any questions, please contact us at arnold.647@gmail.com or by phone at (419) 656-8188

Sincerely,

Brittany K. Duro

Justiniano Fornales Duro, Jr.
Brittany Kathleen Duro
7558 Schleppi Road
New Albany, OH 43054

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6309 GALLAWAY SQ W





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G

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RONK CONSTRUCTION EST. 2003

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By

New Concrete Detail

6321 calloway Sq. West New Albany, OH

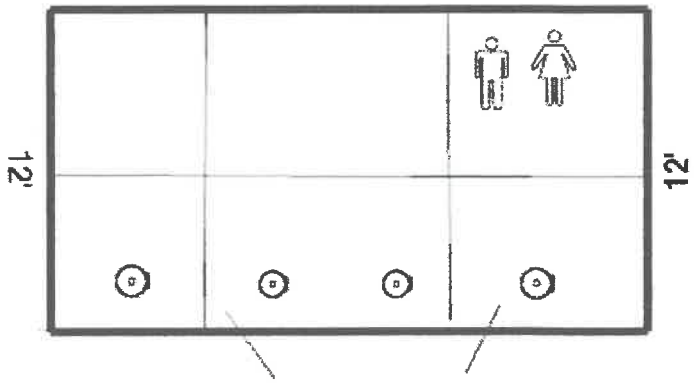
compacted gravel base

6.5 high strength concrete

D1 Sealeant

All Stamped and Colored

22'



32' monolithic piers due to slope

Permit # _____

NEW ALBANY

Community Development Residential Permit Application

RECEIVED
AUG 22 2022
By _____

Incomplete applications or submittals will not be accepted/reviewed
PLEASE PRINT CLEARLY

Property

Address 6321 Callaway Square West Parcel Number _____
Subdivision Nottingham Trace Phase 3 Lot Number 109
Fire Department _____ County Franklin

Project Information

Type of Improvement *(check all that apply)*:
☐New ☐Addition ☐Alteration ☐Repair
☐1 family ☐ 2 family ☐3 family

Project Valuation *(required)* $8,500

Scope of Work *(check all that apply)*
☐Structural/Floor Plan ☒Site work ☐Public sewer tap ☐Public water tap
☐Electrical ☐Heating ☐Cooling ☐Ventilation
☐Gas piping ☐Plumbing ☐Fire alarm ☐Fire suppression
☐Foundation start requested ☐Other _____

Description of Project: 12'x22 PATIO SLAB Replaces Permit: REM-2023-0319

Contacts

Property Owner's Name: Jeff & Sherry Stern	**Contractor:** Ronk Construction
Address: 6321 Callaway Square West	Address: PO Box 602
City, State, Zip: New Albany, OH 43054	City, State, Zip: New Albany, OH 43054
Phone number: 740.706.6295	Phone number: 614-260-8866
Fax:	Fax:
Email: jeff.stern@outlook.com	Email: ronkconstruction@gmail.com

Applicant: (circle one)	**Owner**	**Contractor** (list contact name below)	**Other** (complete below information)

Applicant Contact Name:	
Company Name:	
Address:	City, State Zip Code
Phone number:	Fax:
Email:	

RECEIVED
AUG 21 2023
By

LANDMARK SURVEY GROUP, INCORPORATED

690 LAKEVIEW PLAZA BLVD. SUITE A, WORTHINGTON OH.43085
PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM

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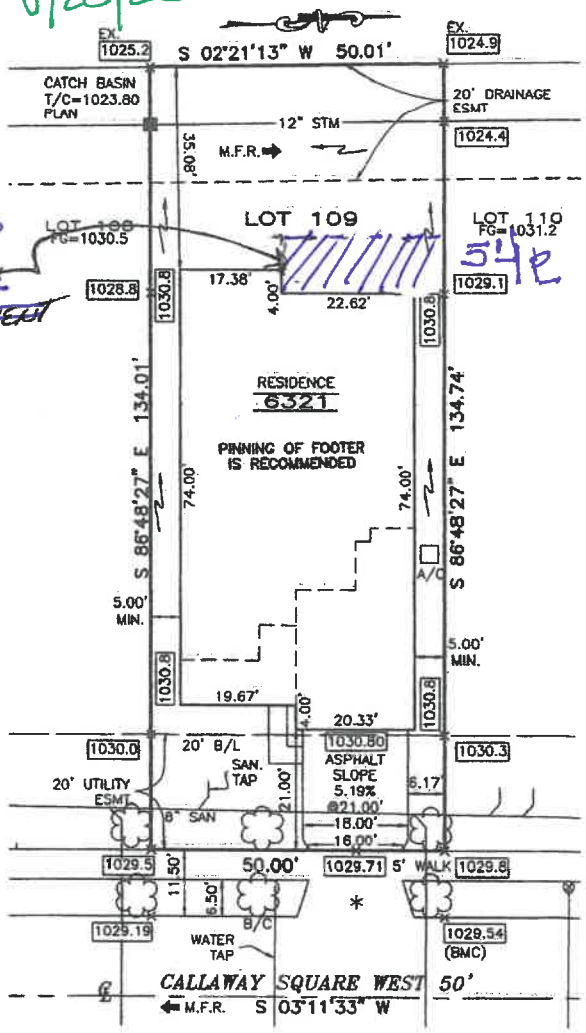
ORDER NO. NTR3-109-PP DATE: 09/26/22

FOR PULTE HOMES HOUSE STYLE MARTIN RAY HR2F COUNTY OF FRANKLIN
LOT/SUBDIVISION LOT 109 / NOTTINGHAM TRACE PHASE 3 CITY/TWP OF NEW ALBANY
ADDRESS 6321 CALLAWAY SQUARE WEST SCALE 1"= 20' DRAWN BY: PY
MINIMUMS: DEFAULT R: 20' S: 5' BK: UNREC PG: UNREC

ZONING APPROVED 8/28/23

~~Deck will be started from underside to ground~~

Location of ~~Deck~~ Patio ~~See attached for enlargement~~



ENGINEERING PLANS AND SUBDIVISION PLAT INFORMATION UNSIGNED AND MAY NOT BE COMPLETE. UNDERSIGNED IS NOT RESPONSIBLE FOR ANY CHANGES THAT MAY OCCUR ONCE PLANS ARE FINALIZED AND SIGNED.

THE STREET AND LOT TREE SPECIMENS SHALL COMPLY WITH FINAL DEVELOPMENT PLAN FOR NOTTINGHAM TRACE. REFERENCE DEVELOPMENT PLAN FOR ADDITIONAL INFORMATION. THE BUILDER WILL BE BONDING THIS WORK.

* STABILIZE CONSTRUCTION ENTRANCE.

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LOT CALCULATIONS	
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LOT	6719 S.F.
STRUCTURE	2951 S.F.
DRIVE	376 S.F.
APPROACH	197 S.F.
SER WALK	38 S.F.
WALK	170 S.F.
SOD	3562 S.F.
SOD S.Y.	396 S.Y.
DRIVE S.Y.	42 S.Y.
LOT Ac.	0.154 Ac.
LOT COV	43.92%
SAN LAT	8

PULTE SLAB (TRENCH & CAP)
FINISH FLOOR = 1031.47
FINISH GRADE= 1030.80
GARAGE PAD= 1030.80
TOP OF FOOTER 1030.47
BOTTOM OF FOOTER= 1027.80
DRIVE SLOPE DISTANCE= 21

THIS PROPERTY IS LOCATED IN FLOOD ZONE X
MAP NO. 39049C 0202K
EFF. DATE: 6/17/08

BUILDER TO INSTALL AND MAINTAIN EROSION CONTROL THROUGHOUT ALL PHASES OF CONSTRUCTION. FIELD MODIFICATIONS MAY BE NECESSARY.

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STATE OF OHIO SCOTT D. GRUNDEI S-8047 REGISTERED PROFESSIONAL SURVEYOR

Scott D. Grundei 09/26/22
SCOTT D. GRUNDEI, P.S. DATE
REGISTERED SURVEYOR NO. 8047

City of New Albany Development Department Review ONLY
This review or approval does not constitute approval by your homeowners association or the New Albany Country Club Architectural Review Committee, if necessary.


NOT
MOW



DO NOT DETACH

Instrument Number: 202206010081832
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Daniel J. O'Connor Jr.
Franklin County Recorder
373 South High Street, 18th Floor
Columbus, OH 43215
(614) 525-3930
http://Recorder.FranklinCountyOhio.gov
Recorder@FranklinCountyOhio.gov

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Transaction Number: T20220058692
Document Type: PLAT
Document Page Count: 2

Submitted By (Walk-In):
EP FERRIS

Walk-In

Developer:
PULTE HOMES OF OHIO LLC

Plat:
NOTTINGHAM TRACE PHASE 3

Fees:	
Plat Recording Fee:	$172.80
Total Fees:	$172.80
Amount Paid:	$172.80
Amount Due:	$0.00

Instrument Number: 202206010081832
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NOTTINGHAM TRACE PHASE 3

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Section 8, Quarter Township 2, Township 2, Range 16, United States Military Lands, containing 9.563 acres of land, more or less, said 9.563 acres being all of that tract of land conveyed as Tract 1 to **PULTE HOMES OF OHIO LLC** by deed of record in Instrument Number 202202150025539, Recorder's Office, Franklin County, Ohio.

The undersigned, **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition, does hereby certify that this plat correctly represents its **"NOTTINGHAM TRACE PHASE 3"**, a subdivision containing Lots numbered 102 to 135, both inclusive, and an area designated as Reserve "F", does hereby accept this plat of same and dedicates to public use, as such, all of Callaway Square East and Callaway Square West shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer.

In Witness Whereof, **MATTHEW J. CALLAHAN,** Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC,** has hereunto set his hand this 8 day of April, 2022.

Signed and Acknowledged In the presence of

PULTE HOMES OF OHIO LLC

By _____
MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **MATTHEW J. CALLAHAN,** Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **PULTE HOMES OF OHIO LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 8 day of April, 2022.

My commission expires 11/25/2023 _____
Notary Public, State of Ohio

HEIDI MOORE
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Delaware County
My Comm. Exp. 11/25/2023

Approved this 16 Day of May 2022 _____
Mayor, New Albany, Ohio

Approved this 26 Day of APRIL 2022 _____
City Engineer, New Albany, Ohio

Approved this 26 Day of APRIL 2022 _____
Council Representative to Planning Commission, New Albany, Ohio

Approved this 1 Day of MAY 2022 _____
Chairperson, Planning Commission, New Albany, Ohio

Approved this 26 Day of April 2022 _____
Finance Director, New Albany, Ohio

Approved and accepted by ~~Resolution~~ Ordinance No. O-07-2022 passed 5/5, 2022 wherein all of Callaway Square East and Callaway Square West shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio.

Transferred this 27 day of May, 2022. _____
Auditor, Franklin County, Ohio

_____
Deputy Auditor, Franklin County, Ohio

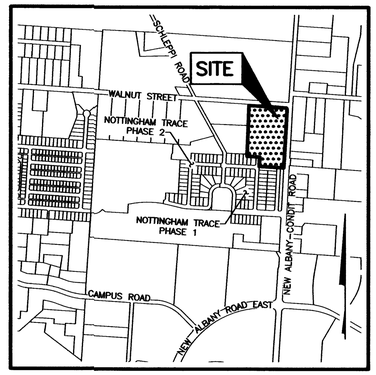
Filed for record this 01 day of June, 2022 at 9:19 AM. Fee $ 172.80 _____
Recorder, Franklin County, Ohio

File No. 202206010081832

Recorded this 01 day of June, 2022. _____
Deputy Recorder, Franklin County, Ohio

Plat Book 132, Pages 138-140

Declaration # 202206010081831



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as those shown on the plat entitled "Nottingham Trace Phase 1", of record in Plat Book 124, Page 15. The bearing of South 86° 13' 47" East, assigned to the southerly right of way line of Walnut Street, is designated the basis of bearings for this plat.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

O = Iron Pin (See Survey Data)
● = MAG Nail to be set
◎ = Permanent Marker (See Survey Data)
▲ = Railroad Spike Found

By _____
Professional Surveyor No. 7865

7 APRIL 22
Date

STATE OF OHIO
MATTHEW A. KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

J:\2018\0924\DWG\0924EET01_PLAT_20180924-IS-PLAT-PHS3.dwg plotted by KIRK, MATTHEW on 4/7/2022 9:08:42 AM last saved by AKIRK on 3/4/2022 8:32:22 AM
Xrefs: 20170308-IS-PLAT-SEC1.DWG & 20180924-CS-REFR-N.DWG & 20180924-CS-REFR-L.DWG

NOTTINGHAM TRACE PHASE 3

NOTE "A": At the time of platting, the land being platted as Nottingham Trace Phase 3 is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain), as said Zone is designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map numbers 39049C0202K and 39049C0206K, both with effective date of June 17, 2008.

NOTE "B" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "C" - ACREAGE BREAKDOWN:

Total acreage:	9.563 Ac.
Acreage in rights-of-way:	1.745 Ac.
Acreage in Reserve "F":	2.574 Ac.
Acreage in remaining lots:	5.244 Ac.

NOTE "D" - ACREAGE BREAKDOWN: Nottingham Trace Phase 3 is out of the following Franklin County Parcel Numbers:

222-004446	0.226 Ac.
222-004962	9.337 Ac.

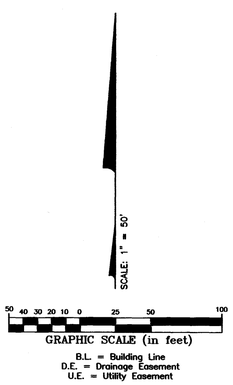
NOTE "E" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in Nottingham Trace Phase 3. Nothing herein, however, shall prohibit the construction and use of a driveway alongside or to the rear of a residential structure if otherwise permitted by the City of New Albany.

NOTE "F" - RESERVE "F": Reserve "F", as designated and delineated hereon, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple titles to the lots in the Nottingham Trace subdivisions for the purpose of open space.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Nottingham Trace Phase 3 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

NOTE "H": Where residential lots abut parkland and/or open space, wood bollards shall be placed and maintained along the shared property lines between said lots and said reserve in order to provide a clear delineation between public and private spaces.

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	50.00'	78.54'	S 48°11'33" W	70.71'
C2	90°00'00"	50.00'	78.54'	N 41°48'27" W	70.71'
C3	90°00'00"	25.00'	39.27'	N 48°11'33" E	35.36'
C4	90°00'00"	25.00'	39.27'	S 41°48'27" E	35.36'



B.L. = Building Line
D.E. = Drainage Easement
U.E. = Utility Easement

J:\20180924\DWG\ASHEETS\PLAT\20180924-VS-PLAT-PHS3.DWG plotted by MIRK, MATTHEW on 5/23/2022 1:22:31 PM last saved by MKIRK on 4/7/2022 9:08:53 AM
Xref: 20170035-VS-FAR-BDY.DWG & 20180924-VS-HDTR-1.DWG & 20180924-VS-HDTR-2.DWG

DO NOT DETACH

Instrument Number: 202307050065803
Recorded Date: 07/05/2023 9:17:22 AM

Daniel J. O'Connor Jr.
Franklin County Recorder
373 South High Street, 18th Floor
Columbus, OH 43215
(614) 525-3930
http://Recorder.FranklinCountyOhio.gov
Recorder@FranklinCountyOhio.gov

EXHIBIT
I
exhibitsticker.com

Return To (Simplifile):
PGP Title - BSC
9111 Cypress Waters Blvd

Coppell, TX 75019-4858

Simplifile

Transaction Number: T20230044540
Document Type: DEED
Document Page Count: 2

Submitted By (Simplifile):
PGP Title - BSC
9111 CYPRESS WATERS BLVD

Coppell, TX 75019-4858

Simplifile

First Grantor:
PULTE HOMES OF OHIO LLC

First Grantee:
NANCY ASHBROOK WILLIS

Fees:	
Document Recording Fee:	$34.00
Total Fees:	$34.00
Amount Paid:	$34.00
Amount Due:	$0.00

Instrument Number: 202307050065803
Recorded Date: 07/05/2023 9:17:22 AM

OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

NOTE: If the document data differs from this cover sheet, please first check the document on our website to ensure it has been corrected. The document data always supersedes the cover page.

If an error on the cover page appears on our website after review please let our office know.

COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

10428

TRANSFERRED

07-03-2023

MICHAEL STINZIANO
AUDITOR
FRANKLIN COUNTY, OHIO

Conveyance

Mandatory: $559.90

Permissive: $1119.80 **BD**

MICHAEL STINZIANO
FRANKLIN COUNTY AUDITOR

LIMITED WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that PULTE HOMES OF OHIO LLC, A MICHIGAN LIMITED LIABILITY COMPANY ("Grantor"), for the sum of Ten and NO/100 Dollars ($10.00), and other valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby grants with limited warranty covenants to Nancy Ashbrook Willis, (collectively, the "Grantee"), whose tax mailing address is 6309 Callaway Square West, New Albany, OH 43054, certain real property and appurtenances thereto, and known as being:

Situated in the State of Ohio, County of Franklin and in the City of New Albany:

And known as being Lot Number 107 in Nottingham Trace Phase 3, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 132, Page 138, Recorder's Office, Franklin County, Ohio.

Property Address: 6309 Callaway Square West, New Albany, OH 43054,
Permanent Parcel Number: 222-005228-00

Tax/Map ID:

Prior Instrument Reference: Pulte Homes of Ohio LLC, a Michigan limited liability company, by virtue of document signed February 2, 2022 and filed of record on February 15, 2022 in Instrument Number 202202150025539, Recorder's Office, Franklin County, Ohio.

To have and to hold the Property with the appurtenances thereof, unto the said Grantee, its successors and assigns forever.

And the said Grantor, does for itself and its successors and assigns, covenant with the said Grantee, her successors and assigns, that at and until the ensealing of these presents, the Property is free from all liens and encumbrances made by Grantor except (a) existing zoning and building ordinances, (b) real estate taxes and assessments not yet due and payable as of the date hereof, and (c) covenants, conditions, restrictions and easements of record, and that Grantor will warrant and defend said Property, with the appurtenances thereunto belonging, to said Grantee, its successors and assigns, against all lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents as of the 28th day of June, 2023

Pulte Homes of Ohio LLC, a Michigan limited liability company

BY: _____
John Davis, Division Controller

STATE OF Ohio)
COUNTY OF Franklin)

Sworn to and subscribed before me on June 28, 2023 by John Davis, Division Controller of Pulte Homes of Ohio LLC, a Michigan limited liability company, on behalf of the limited liability company.

_____
Notary Public
My Commission Expires:
(SEAL)

This instrument prepared by:
Pulte Homes of Ohio LLC, a Michigan limited liability company
475 Metro Place South, Suite 200
Dublin, OH 43017
614-356-5000



AUBREY LEIGH REECE
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-07-2026

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
November 18, 2024 Meeting

NEW ALBANY COUNTRY CLUB SECTION 30 ZONING AMENDMENT

LOCATION:	Section 30 of the New Albany Country Club (East Nine) (PID: 222-005185 and 46 others, see attached).
APPLICANT:	The New Albany Company LLC, c/o Aaron Underhill, Esq.
REQUEST:	Zoning Amendment
ZONING:	Comprehensive-Planned Unit Development (C-PUD) to Infill- Planned Unit Development (I-PUD)
STRATEGIC PLAN:	Residential District
APPLICATION:	ZC-71-2024

Review based on: Application materials received September 23, 2024 and November 1, 2024

Staff report completed by Sierra Saumenig, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 30.04+/- acres from Comprehensive-Planned Unit Development (C-PUD) to Infill-Planned Unit Development (I-PUD).

The site is currently zoned C-PUD (1998 NACO C-PUD Subarea 1D; Lambton Park Central Cluster) and has been developed with public infrastructure, including but not limited to an extension of Head of Pond Road into the property from Lambton Park on the southwest, an extension of Baughman Grant into the property from the north, other internal streets, and utilities and stormwater management infrastructure. While infrastructure has been constructed, no lots have been sold and no homes have been built within the subdivision. The applicant requests to reconfigure parcels and add four additional lots within the subdivision, increasing from 36 to 40 lots.

The applicant also requests review and approval of a preliminary plat application associated with New Albany Country Club Section 30. This application is reviewed under a separate staff report.

II. SITE DESCRIPTION & USE

The 30.04+/- acre development area is part of a larger 105.34+/- acre property. A majority of the property contains portions of the New Albany Country Club golf course as well as 36 previously platted residential lots, 5 reserves, and three public streets. The surrounding land uses include the golf course and residentially zoned and used land.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

(a) Adjacent land use.
(b) The relationship of topography to the use intended or to its implications.
(c) Access, traffic flow.
(d) Adjacent zoning.
(e) The correctness of the application for the type of change requested.
(f) The relationship of the use requested to the public health, safety, or general welfare.
(g) The relationship of the area requested to the area to be used.
(h) The impact of the proposed use on the local school district(s).

Per Codified Ordinance Chapter 1159.08 the basis for approval of a preliminary development plan in an I-PUD shall be:

(a) That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;
(b) That the proposed development is in general conformity with the Strategic Plan or portion thereof as it may apply;
(c) That the proposed development advances the general welfare of the Municipality;
(d) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
(e) Various types of land or building proposed in the project;
(f) Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density of dwelling units may not violate any contractual agreement contained in any utility contract then in effect;
(g) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
(h) Building heights of all structures with regard to their visual impact on adjacent facilities;
(i) Front, side and rear yard definitions and uses where they occur at the development periphery;
(j) Gross commercial building area;
(k) Area ratios and designation of the land surfaces to which they apply;
(l) Spaces between buildings and open areas;
(m) Width of streets in the project;
(n) Setbacks from streets;
(o) Off-street parking and loading standards;
(p) The order in which development will likely proceed in complex, multi-use, multi-phase developments;
(q) The potential impact of the proposed plan on the student population of the local school district(s);
(r) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
(s) The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).

A. Engage New Albany Strategic Plan

The site is located within the Residential District future land use district. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or roads.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of the development. Typically, neighborhood parks

range from a half an acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.

- Adequate amounts of open space and parkland are encouraged to be provided on site.
- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community's natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community's planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

The Engage New Albany Strategic Plan recommends the following standards as prerequisites for all development proposals in New Albany:

- Development should meet setback recommendations contained in strategic plan.
- Streets must be public and not gated. Cul-de-sacs are strongly discouraged.
- Parks and open spaces should be provided, publicly dedicated and meet the quantity requirements established in the city's subdivision regulations (i.e. 20% gross open space and 2,400 sf of parkland dedication for each lot).
    - All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site. If it cannot be provided on-site, purchasing and publicly dedicating land to expand the Rocky Fork Metro Park or park space for the Joint Parks District is an acceptable alternative.
- The New Albany Design Guidelines & Requirements for residential development must be met.
- Quality streetscape elements, including an amenity zone, street trees, and sidewalks or leisure
- Trails and sidewalks should be provided on both sides of all public streets.
- Homes should front streets, parks and open spaces.
- A residential density of 1 dwelling unit (du) per acre is required for single-family residential and a density of 3 du per acre for age restricted housing.
    - Higher density may be allowed if additional land is purchased and deed restricted. This type of density "offset" ensures that the gross density of the community will not be greater than 1 unit per acre. Any land purchased for use as an offset, should be within the NAPLS district or within the metro park zone.
    - 3 du/acre is only acceptable if 100% age restricted. Otherwise, the federal regulations and criteria for subdivisions to qualify as age-restricted must be accounted for when calculating density (i.e. 80% age restricted and 20% non-age restricted).
    - Age restriction must be recorded as a deed restriction and included as a requirement in the subdivision's zoning text.

B. Use, Site and Layout

1. The proposed rezoning is Infill-Planned Unit Development (I-PUD) that permits the development of a 40 lot single family residential subdivision.
2. The Engage New Albany strategic plan residential land use district states that the gross density is 1 dwelling unit per acre for traditional single-family.
    - The proposed density is 1.33 units/acre. <u>Staff recommends a condition of approval that the applicant withdraws 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district (condition #1).</u>
    - The existing zoning for the property allows for a maximum of 88 homes to be constructed.

- The previously approved final development plan and the plat for this subdivision provided for 36 homes to be constructed on the property, with the balance of the 88 homes that are permitted on site having been deposited into the "housing bank."

3. A school impact statement has been submitted. The applicant estimates that 0.8 students per unit will be generated for a total of 32 students. Based on an assumed 32 students generated, the applicant has projected this development to have a net positive financial impact on the school district.
4. There are lots situated where homes may back onto the adjacent private, New Albany Country Club golf course and proposed privately owned reserve areas within the subdivision.
5. The zoning district is made up of two subareas that are approximately 30.04 acres and permits the following uses:
   - Single-family detached homes, single family attached homes, and related accessory structures.
     - Subarea 1 – This subarea shall have a maximum of 29 units that are proposed to be single-family detached homes.
     - Subarea 2- This subarea shall have a maximum of 11 units that are proposed to be detached single-family and or attached single-family homes.
   - Publicly or privately-owned parks and open spaces.
6. The zoning text established the following setbacks for Subarea 1.

SETBACKS (SUBAREA 1)	
Front Yard	20 feet
Side Yard	15 feet
Rear Yard	25 feet

7. Subarea 2 allows for zero lot line development since attached single-family homes are permitted so there are no minimum setbacks from any lot lines for parcels within this section.

C. Access, Loading, Parking

1. These subareas generally contain the same or similar standards as the surrounding country club for standards such as a minimum of two off-street parking spaces, road widths, and pavement sections.
2. Subarea 1 is proposed to have parking on both sides of the public streets , Subarea 2 is proposed to have on-street parking on only one side of the public street. This will be reviewed at the time of the final development plan.
3. Right-of-way widths within this zoning district were previously dedicated to the city and the right-of-way width and existing pavement widths shall remain as they exist today. This will be recorded in the re-plat.
   a. There will be one deviation for a limited portion of Head of Pond Road along the eastern portion of Subarea 2 that has frontage along that street. The final location and specifications of this will be shown in the final re-plat.
4. The zoning text states that within Subarea 2, a new public street will be provided in a loop configuration and the minimum pavement for this street shall be 20 feet. The final design will be determined during the review and approval of the final development plan.
   a. Additional turning studies may be required at the time of the final development plan to ensure emergency and service vehicles can adequately and safely access and navigate the streets. The city staff recommend this is a condition of approval, subject to staff approval (condition #2).
5. The zoning text states that there will be a public brick sidewalk on both sides of Head of Pond Road and Baughman Grant, as well as on the west side of Head of Pond Court. An existing asphalt path along the east side of Head of Pond Court, extending from its intersection with Head of Pond Road, will remain in place. Existing public sidewalks and

leisure paths are proposed to be removed to accommodate the brick sidewalks which will be a minimum of 4 feet in width.

a. Staff recommends a condition of approval that the maintenance responsibilities and agreement is entered at the time of final development plan for non-traditional infrastructure materials (condition #3).

D. Architectural Standards

1. The zoning text states that the architectural standards shall be in accordance with the city's Design Guidelines and Requirements (DGR's).
2. Architecture will be evaluated as part of the final development plan application.

E. Parkland, Buffering, Landscaping, Open Space, Screening

1. New Albany's Codified Ordinance requires that 2,400 square feet per home be dedicated as park land and 20% of the total acreage in the subdivision shall be dedicated as open space. For this development the total required park land and open space is 6.0 acres. The applicant is providing multiple reserve areas totaling 5.7 acres. As noted in the zoning text, the applicant intends to offset their shortage of parkland by using the NACO parkland bank credits on record with the city as the amount of open space provided does not meet code requirements. The Parks and Trails Advisory Board will evaluate the proposed open space and parkland as part of the final development plan submittal.
    a. Staff recommends a condition of approval that the quantity of withdrawal of parkland credits shall be detailed in the final development plan application (condition #4).
2. The stormwater basin centrally located within the development will be located in whole or in part on privately owned lots. The maintenance of the basin will be by a forced and funded property owner's association and appropriate easements will be provided on the final plat.
3. The zoning text states that street trees shall be permitted but not required in Subarea 2. If street trees are provided, details regarding sizing and spacing will be provided at the time of final development plan approval for this subarea.
4. The zoning texts exempts this zoning district from the requirement that all residences are to be located within 1,200 feet of playground equipment.
5. Parkland, buffering, landscaping, open space, and screening requirements will be evaluated as part of the final development plan application.

F. Lighting & Signage

1. The zoning text specifies that street lights shall be provided at each street intersection with the fixture, color, and spacing to be approved at the time of the final development plan. Additionally, entry feature lighting shall be approved at the time of the final development plan. Lighting shall be in accordance with the city's codified ordinances.
2. The zoning text requires the developer to use the standard city street and regulatory signage. All proposed signage for the subdivision is subject to review and approval of the Planning Commission at the time of the final development plan application.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided no comments.

V. SUMMARY*:*

The rezoning is generally consistent with the Residential land use recommendations of the New Albany Strategic Plan. Although the density and open space do not meet city requirements, the 1998 NACO PUD provides a housing and parkland bank to offset this deviation which has been utilized for other projects. The new development will complement the established character of the immediate area and maintain the current connectivity.

Additional landscape, architecture, parking, and signage details will be reviewed as part of a future final development plan application for the subdivision.

VI. ACTION

Suggested Motion for ZC-71-2024:

Move to approve rezoning/preliminary development plan application ZC-71-2024 based on the findings in the staff report with the following conditions.

1. That the applicant withdraws 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district.
2. Additional turning studies may be required at the time of the final development plan to ensure emergency and service vehicles can adequately and safely access and navigate the streets, subject to staff approval.
3. That the maintenance responsibilities and agreement is entered at the time of final development plan for non-traditional infrastructure materials.
4. The quantity of withdrawal of parkland credits shall be detailed in the final development plan application.

Approximate Site Location:



Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address O Head of Pond Road

Parcel Numbers Franklin County Auditor 222-005185 and others (see attached)

Acres 30.04 +/- # of lots created 40

Choose Application Type	Circle all Details that Apply			
☐☐Appeal				
☐☐Certificate of Appropriateness				
☐☐Conditional Use				
☐☐Development Plan	Preliminary	Final	Comprehensive	Amendment
☐☐Plat	Preliminary	Final		
☐☐Lot Changes	Combination	Split	Adjustment	
☐☐Minor Commercial Subdivision				
☐☐Vacation	Easement		Street	
☐☐Variance				
☐☐Extension Request				
☐☐Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Rezoning of subject property from C-PUD to I-PUD to provide for a modified residential subdivision and review of associated preliminary development plan.

Contacts

Property Owner's Name: The New Albany Company LLC

Address: C/o Underhill and Hodge LLC, ATTN: Aaron Underhill, Esq.

City, State, Zip: 8000 Walton Parkway, Suite 120, New Albany, OH 43054

Phone number: 614-335-9320 Fax: _____

Email: aaron@uhlawfirm.com

Applicant's Name: Same as Owner

Address: _____

City, State, Zip: _____

Phone number: _____ Fax: _____

Email: _____

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner By: _____ Date: 11/7/24

Signature of Applicant By: _____ Date: 11/7/24

Aaron Underhill, attorney for owner/applicant

0.3 ACRE

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the northwesterly corner of Lot 6 of the subdivision entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86,in the southerly right of way line of Head of Pond Road;

Thence North 10° 11' 46" West, crossing said Head of Pond Road, a distance of 57.08 feet to a point in the northerly right-of-way of said Head of Pond Road, the TRUE POINT OF BEGINNING for this description;

Thence the following courses and distances:

With the arc of a curve to the right, having a central angle of 31° 29' 14", a radius of 125.00 feet, an arc length of 68.69 feet, a chord bearing of South 60° 55' 05" West and chord distance of 67.83 feet to a point;

South 76° 39' 42" West, a distance of 55.64 feet to a point;

With the arc of a curve to the left, having a central angle of 25° 14' 29", a radius of 175.00 feet, an arc length of 77.10 feet, a chord bearing of South 64° 02' 28" West and chord distance of 76.47 feet to a point;

South 51° 25' 13" West, a distance of 30.75 feet to a point;

With the arc of a curve to the right, having a central angle of 20° 10' 55", a radius of 20.00 feet, an arc length of 7.04 feet, a chord bearing of South 61° 30' 41" West and chord distance of 7.01 feet to a point;

North 51° 24' 17" West, a distance of 3.06 feet to a point;

North 51° 28' 11" West, a distance of 13.86 feet to a point;

North 00° 00' 00" East, a distance of 91.81 feet to a point;

North 05° 34' 14" West, a distance of 12.39 feet to a point;

North 84° 18' 02" East, a distance of 39.69 feet to a point;

South 88° 36' 16" East, a distance of 41.61 feet to a point;

North 87° 51' 49" East, a distance of 63.85 feet to a point;

North 86° 11' 08" East, a distance of 33.16 feet to a point; and

South 67° 19' 32" East, a distance of 52.92 feet to the TRUE POINT OF BEGINNING, containing 0.3 acre of land, more or less.

3.4 ACRES

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being comprised of part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195, all of Lots 10 to 14, part of Lots 9 and 15, all of Reserve "A", and part of the right of way as shown on the subdivision plat entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning at the common easterly corner of Lots 14 and 15 of said New Albany Country Club Section 30, in a westerly line of said The New Albany Company LLC tract;

Thence the following courses and distances:

South 08° 37' 23" West, a distance of 43.60 feet to a point;

South 07° 10' 19" East, a distance of 257.38 feet to a point;

With the arc of a curve to the right, having a central angle of 131° 08' 12", a radius of 93.43 feet, an arc length of 213.83 feet, a chord bearing of South 58° 23' 47" West and chord distance of 170.12 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 47' 53", a radius of 750.00 feet, an arc length of 298.43 feet, a chord bearing of North 67° 26' 03" West and chord distance of 296.46 feet to a point;

North 78° 50' 00" West, a distance of 38.37 feet to a point;

North 02° 59' 33" East, a distance of 194.13 feet to a point;

With the arc of a curve to the right, having a central angle of 00° 28' 10", a radius of 1055.00 feet, an arc length of 8.64 feet, a chord bearing of South 71° 38' 41" East and chord distance of 8.64 feet to a point;

With the arc of a curve to the left, having a central angle of 104° 25' 30", a radius of 172.50 feet, an arc length of 314.39 feet, a chord bearing of North 56° 22' 39" East and chord distance of 272.65 feet to a point;

North 04° 09' 54" East, a distance of 23.04 feet to a point;

South 75° 28' 02" East, a distance of 197.44 feet to a point; and

South 08° 37' 23" West, a distance of 49.69 feet to the POINT OF BEGINNING, containing 3.4 acres of land, more or less.

26.3 ACRES

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being comprised of part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195, all of lots 1 to 8 and 16 to 36, part of Lots 9 and 15, all of Reserves "B", "C" "D" and "E", and part of the right of way shown on the subdivision plat entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning at the northwesterly corner of Lot 6 of said " New Albany Country Club Section 30", in the southerly right of way line of Head of Pond Road;

Thence the following courses and distances:

With the arc of a curve to the right, having a central angle of 20° 48' 20", a radius of 175.00 feet, an arc length of 63.55 feet, a chord bearing of South 66° 15' 32" West and chord distance of 63.20 feet to a point;

South 76° 39' 42" West, a distance of 16.98 feet to a point;

With the arc of a curve to the left, having a central angle of 18° 35' 26", a radius of 50.00 feet, an arc length of 16.22 feet, a chord bearing of South 67° 21' 59" West and chord distance of 16.15 feet to a point;

South 58° 04' 16" West, a distance of 16.94 feet to a point;

With the arc of a curve to the right, having a central angle of 07° 49' 23", a radius of 105.00 feet, an arc length of 14.34 feet, a chord bearing of South 61° 58' 57" West and chord distance of 14.33 feet to a point;

South 20° 20' 10" East, a distance of 12.31 feet to a point;

South 69° 39' 50" West, a distance of 13.33 feet to a point;

North 20° 20' 10" West, a distance of 12.08 feet to a point;

South 69° 39' 50" West, a distance of 29.30 feet to a point;

With the arc of a curve to the left, having a central angle of 18° 14' 36", a radius of 45.00 feet, an arc length of 14.33 feet, a chord bearing of South 60° 32' 31" West and chord distance of 14.27 feet to a point;

South 51° 25' 13" West, a distance of 5.44 feet to a point;

With the arc of a curve to the left, having a central angle of 53° 07' 48", a radius of 10.00 feet, an arc length of 9.27 feet, a chord bearing of South 24° 51' 19" West and chord distance of 8.94 feet to a point;

With the arc of a curve to the left, having a central angle of 49° 41' 38", a radius of 20.00 feet, an arc length of 17.35 feet, a chord bearing of South 26° 33' 24" East and chord distance of 16.81 feet to a point;

North 51° 24' 13" West, a distance of 92.30 feet to a point;

With the arc of a curve to the left, having a central angle of 77° 10' 34", a radius of 20.00 feet, an arc length of 26.94 feet, a chord bearing of South 89° 59' 30" East and chord distance of 24.95 feet to a point;

North 51° 25' 13" East, a distance of 30.75 feet to a point;

With the arc of a curve to the right, having a central angle of 25° 14' 29", a radius of 175.00 feet, an arc length of 77.10 feet, a chord bearing of North 64° 02' 28" East and chord distance of 76.47 feet to a point;

North 76° 39' 42" East, a distance of 55.64 feet to a point;

With the arc of a curve to the left, having a central angle of 43° 14' 24", a radius of 125.00 feet, an arc length of 94.34 feet, a chord bearing of North 55° 02' 30" East and chord distance of 92.11 feet to a point;

With the arc of a curve to the right, having a central angle of 06° 40' 37", a radius of 585.00 feet, an arc length of 68.17 feet, a chord bearing of North 36° 45' 36" East and chord distance of 68.13 feet to a point;

With the arc of a curve to the right, having a central angle of 03° 22' 48", a radius of 185.00 feet, an arc length of 10.91 feet, a chord bearing of North 41° 47' 19" East and chord distance of 10.91 feet to a point;

North 27° 38' 14" East, a distance of 185.92 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 09' 51", a radius of 375.00 feet, an arc length of 145.06 feet, a chord bearing of North 16° 33' 18" East and chord distance of 144.16 feet to a point;

With the arc of a curve to the left, having a central angle of 33° 33' 03", a radius of 585.00 feet, an arc length of 342.56 feet, a chord bearing of North 11° 18' 09" West and chord distance of 337.69 feet to a point;

With the arc of a curve to the right, having a central angle of 31° 59' 55", a radius of 390.00 feet, an arc length of 217.81 feet, a chord bearing of North 12° 04' 42" West and chord distance of 214.99 feet to a point;

North 03° 55' 15" East, a distance of 34.86 feet to a point;

With the arc of a curve to the right, having a central angle of 27° 27' 24", a radius of 100.00 feet, an arc length of 47.92 feet, a chord bearing of North 17° 38' 57" East and chord distance of 47.46 feet to a point;

North 31° 22' 39" East, a distance of 105.88 feet to a point;

With the arc of a curve to the left, having a central angle of 21° 21' 03", a radius of 100.00 feet, an arc length of 37.26 feet, a chord bearing of North 20° 42' 07" East and chord distance of 37.05 feet to a point;

North 05° 06' 54" East, a distance of 41.35 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 38' 22", a radius of 26.50 feet, an arc length of 10.47 feet, a chord bearing of North 06° 12' 17" West and chord distance of 10.40 feet to a point of tangency;

North 17° 31' 28" West, a distance of 24.35 feet to a point;

With the arc of a curve to the right, having a central angle of 22° 38' 22", a radius of 33.50 feet, an arc length of 13.24 feet, a chord bearing of North 06° 12' 17" West and chord distance of 13.15 feet to a point;

North 05° 06' 54" East, a distance of 47.25 feet to a point;

North 84° 53' 06" West, a distance of 10.39 feet to a point;

North 06° 06' 19" East, a distance of 17.20 feet to a point;

South 84° 52' 39" East, a distance of 79.09 feet to a point;

South 09° 58' 43" West, a distance of 22.70 feet to a point;

South 84° 53' 08" East, a distance of 95.38 feet to a point;

With the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing of South 39° 53' 08" East and chord distance of 28.28 feet to a point;

South 05° 06' 52" West, a distance of 17.43 feet to a point;

With the arc of a curve to the left, having a central angle of 23° 52' 01", a radius of 50.00 feet, an arc length of 20.83 feet, a chord bearing of South 06° 49' 08" East and chord distance of 20.68 feet to a point of tangency;

South 18° 45' 09" East, a distance of 10.38 feet to a point;

With the arc of a curve to the right, having a central angle of 26° 57' 15", a radius of 50.00 feet, an arc length of 23.52 feet, a chord bearing of South 05° 16' 31" East and chord distance of 23.31 feet to a point;

With the arc of a curve to the left, having a central angle of 39° 32' 20", a radius of 200.00 feet, an arc length of 138.02 feet, a chord bearing of South 11° 34' 04" East and chord distance of 135.29 feet to a point;

North 50° 59' 44" East, a distance of 95.11 feet to a point;

North 24° 01' 42" East, a distance of 56.14 feet to a point;

With the arc of a curve to the right, having a central angle of 46° 27' 58", a radius of 50.00 feet, an arc length of 40.55 feet, a chord bearing of North 47° 15' 41" East and chord distance of 39.45 feet to a point;

North 64° 53' 51" East, a distance of 51.49 feet to a point;

North 57° 08' 42" East, a distance of 146.28 feet to a point;

South 86° 00' 26" East, a distance of 58.83 feet to a point;

North 80° 42' 08" East, a distance of 60.45 feet to a point;

North 50° 20' 56" East, a distance of 73.68 feet to a point;

North 56° 50' 04" East, a distance of 57.30 feet to a point;

North 62° 27' 43" East, a distance of 47.86 feet to a point;

North 80° 03' 01" East, a distance of 143.15 feet to a point;

South 82° 21' 43" East, a distance of 62.17 feet to a point;

With the arc of a curve to the right, having a central angle of 79° 13' 06", a radius of 25.00 feet, an arc length of 34.57 feet, a chord bearing of South 42° 45' 10" East and chord distance of 31.88 feet to a point;

South 03° 08' 37" East, a distance of 23.89 feet to a point;

With the arc of a curve to the right, having a central angle of 69° 04' 41", a radius of 25.00 feet, an arc length of 30.14 feet, a chord bearing of South 31° 23' 43" West and chord distance of 28.35 feet to a point;

South 65° 56' 04" West, a distance of 98.19 feet to a point;

With the arc of a curve to the left, having a central angle of 139° 07' 55", a radius of 40.00 feet, an arc length of 97.13 feet, a chord bearing of South 03° 37' 54" East and chord distance of 74.97 feet to a point;

North 78° 53' 16" East, a distance of 9.41 feet to a point;

South 72° 59' 51" East, a distance of 65.84 feet to a point;

North 87° 52' 46" East, a distance of 123.12 feet to a point;

South 82° 39' 05" East, a distance of 57.50 feet to a point;

South 09° 41' 08" West, a distance of 158.55 feet to a point;

With the arc of a curve to the left, having a central angle of 60° 26' 34", a radius of 115.53 feet, an arc length of 121.87 feet, a chord bearing of North 86° 33' 45" West and chord distance of 116.30 feet to a point;

With the arc of a curve to the left, having a central angle of 26° 25' 13", a radius of 265.73 feet, an arc length of 122.54 feet, a chord bearing of South 54° 43' 50" West and chord distance of 121.45 feet to a point;

South 22° 16' 04" West, a distance of 208.02 feet to a point;

South 04° 12' 46" West, a distance of 241.11 feet to a point;

South 07° 58' 09" West, a distance of 239.64 feet to a point;

South 08° 37' 23" West, a distance of 129.83 feet to a point;

North 75° 28' 02" West, a distance of 197.44 feet to a point;

South 04° 09' 54" West, a distance of 23.04 feet to a point;

With the arc of a curve to the right, having a central angle of 104° 25' 30", a radius of 172.50 feet, an arc length of 314.39 feet, a chord bearing of South 56° 22' 39" West and chord distance of 272.65 feet to a point;

With the arc of a curve to the left, having a central angle of 00° 28' 10", a radius of 1055.00 feet, an arc length of 8.64 feet, a chord bearing of North 71° 38' 41" West and chord distance of 8.64 feet to a point;

South 02° 59' 33" West, a distance of 194.13 feet to a point;

North 78° 50' 00" West, a distance of 29.15 feet to a point;

With the arc of a curve to the left, having a central angle of 14° 08' 44", a radius of 500.00 feet, an arc length of 123.44 feet, a chord bearing of North 85° 54' 22" West and chord distance of 123.13 feet to a point;

With the arc of a curve to the right, having a central angle of 23° 17' 49", a radius of 350.00 feet, an arc length of 142.31 feet, a chord bearing of North 81° 19' 49" West and chord distance of 141.33 feet to a point;

With the arc of a curve to the left, having a central angle of 17° 04' 26", a radius of 400.00 feet, an arc length of 119.20 feet, a chord bearing of North 78° 13' 08" West and chord distance of 118.76 feet to a point;

With the arc of a curve to the right, having a central angle of 29° 40' 42", a radius of 100.00 feet, an arc length of 51.80 feet, a chord bearing of North 71° 55' 00" West and chord distance of 51.22 feet to a point; and

With the arc of a curve to the right, having a central angle of 36° 55' 11", a radius of 50.00 feet, an arc length of 32.22 feet, a chord bearing of North 38° 37' 03" West and chord distance of 31.66 feet to the POINT OF BEGINNING, containing 26.3 acres of land, more or less.

BLENHEIM

Phase: Zoning Submission
Location: New Albany, Ohio
Date: 09.16.2024

The New Albany Company

JONES

Architect

The Jones Studio
503 city park avenue
columbus, ohio 43215
614.358.3729

thejonesstudio.com

REALM COLLABORATIVE

Landscape Architect

REALM Collaborative
100 east broad street
suite 1710
columbus, ohio 43215
614.670.7390

realmcollaborative.com

EMH&T

Civil Engineer

EMH&T
5500 new albany road
new albany, ohio 43054
614.775-4500

emht.com


SITE PLAN
ILLUSTRATIVE
200 FT
LAMBTON PARK RD
BAUGHMAN GRANT
NEW ALBANY
COUNTRY CLUB
GOLF COURSE
HEAD OF POND CT
POND
HEAD OF POND RD
NEW ALBANY
COUNTRY CLUB
GOLF COURSE
LAMBTON PARK RD
LAMBTON PARK RD
REALM | JONES | EMHT | The New Albany Company
09.16.2024 | ZONING SUBMISSION
2

20' LANDSCAPE EASEMENT

LOT EDGE FENCE / BUFFER

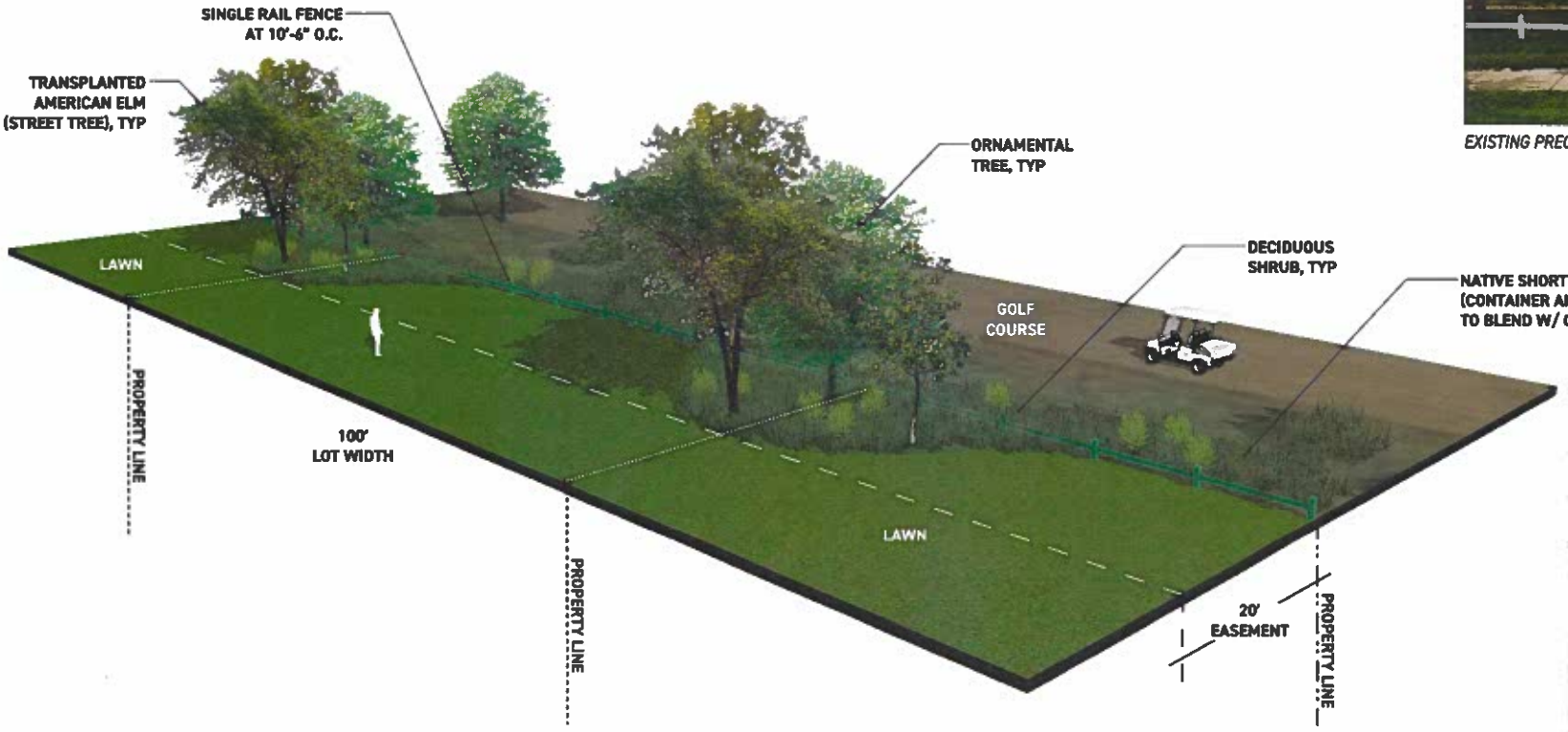


SINGLE RAIL FENCE

ELEVATION 4 FT



EXISTING PRECEDENT: RICHMOND SQUARE

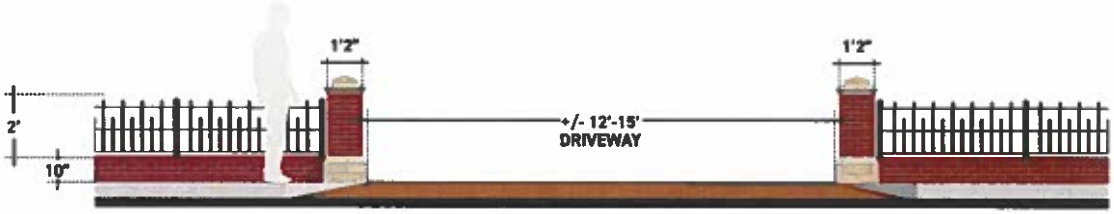




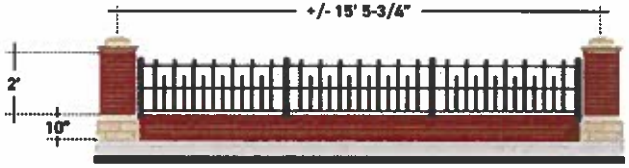
KEY PLAN

ESTATE WALL/FENCE

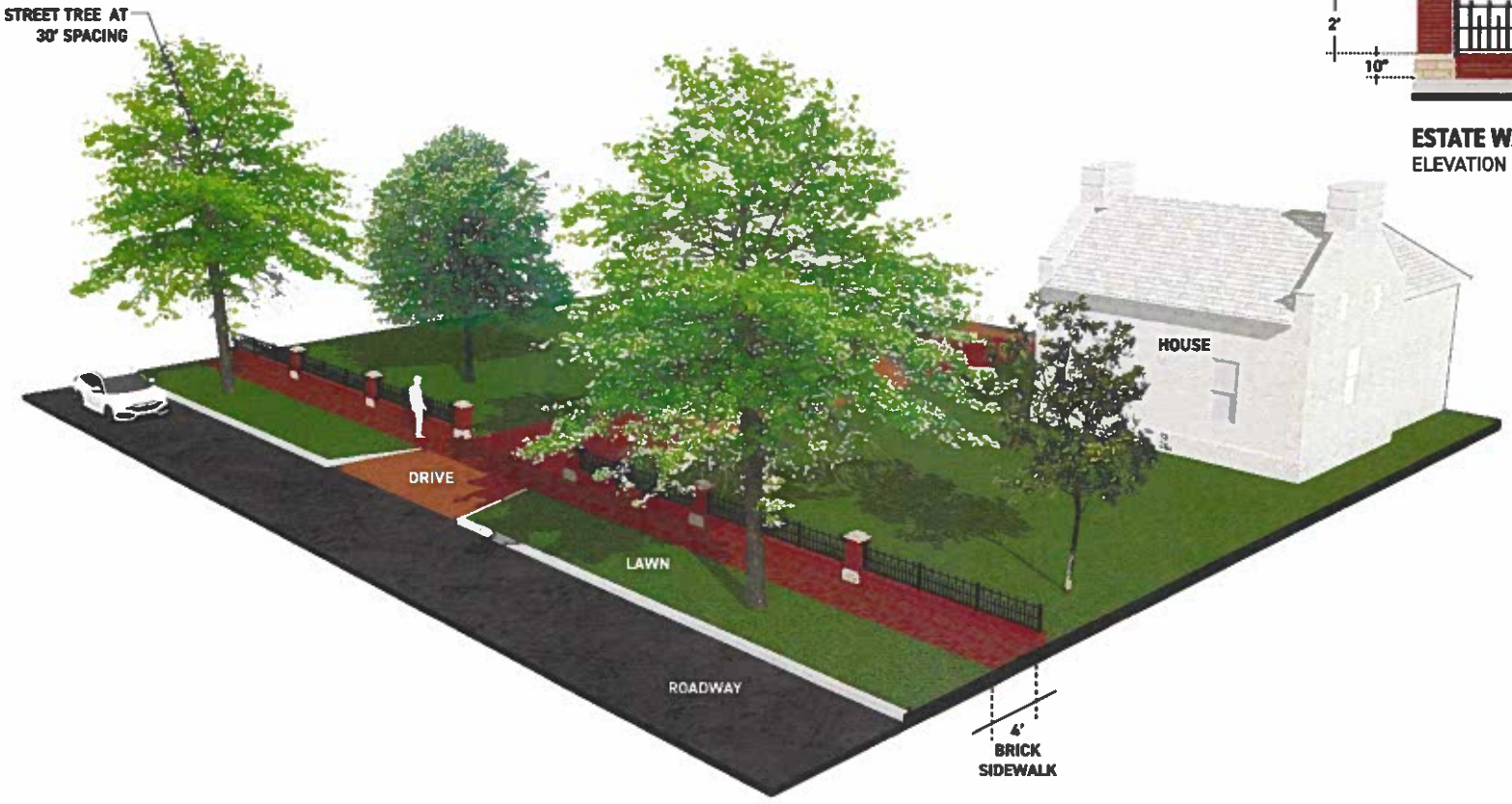
ESTATE LOT FRONT YARD



ESTATE WALL DRIVE
ELEVATION 4 FT



ESTATE WALL SEGMENT
ELEVATION 4 FT





KEY PLAN

SOUTH ENTRY

EXISTING



SOUTH ENTRY

PROPOSED LANDSCAPE PLAN



PLANTING LEGEND

LAWN

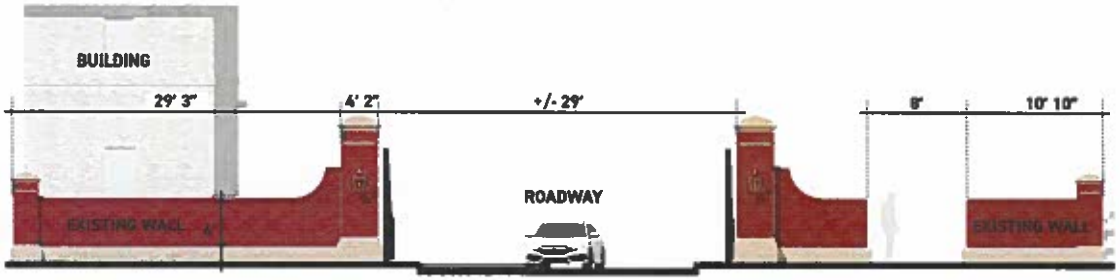
PERENNIAL/GC

DECIDUOUS SHRUB
- 48"-60" HT B+B

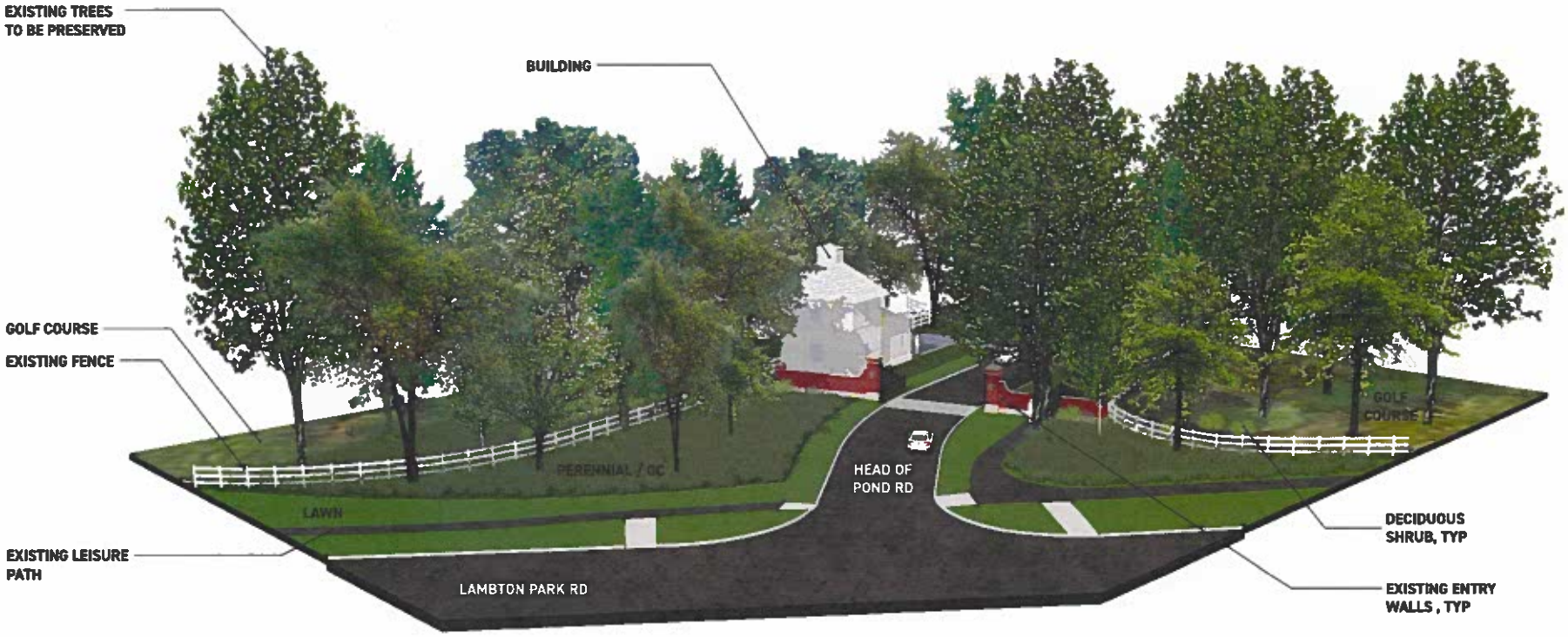
DECIDUOUS TREE
- 3" CALIPER

DECIDUOUS TREE
- 3" CALIPER

SOUTH ENTRY
RENDERING



SOUTH ENTRY ELEVATION
ELEVATION 10 FT



NORTH ENTRY

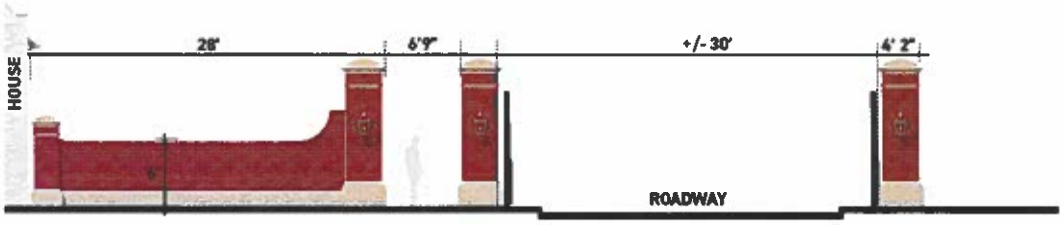
PROPOSED LANDSCAPE PLAN

70 FT



NORTH ENTRY

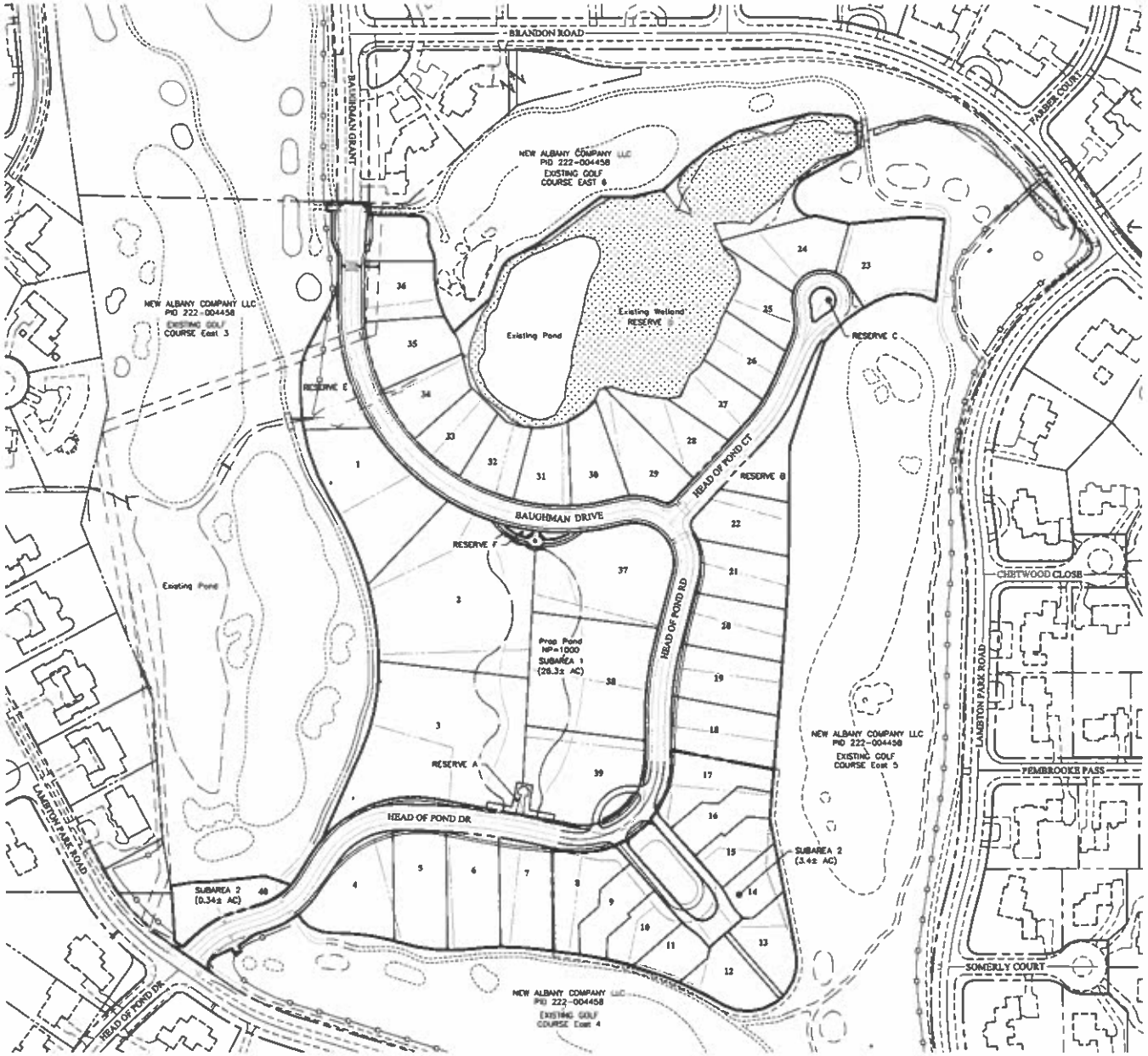
RENDERING



NORTH ENTRY ELEVATION

ELEVATION 10 FT





GRAPHIC SCALE

0 50 100 200

1 inch = 100 feet

PRELIMINARY

NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

REVISIONS

MARK	DATE	DESCRIPTION

THE NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
EXHIBIT
FOR
NEW ALBANY COUNTRY CLUB SECTION 30
BLENHEIM
LOT LAYOUT OVERLAY

EMH&T
Engineering & Environmental Consultants, Inc.
5500 New Albany Road, Columbus, Ohio 43054
Phone: 614.775.4500 Fax: 614.775.4800
www.emht.com

DATE
September 16, 2024

SCALE
1" = 100'

JOB NO.
20201095

SHEET
1/1

EAST NINE I-PUD

Information concerning specific Code requirements for submittal by The New Albany Company LLC

Per C.O. 1111.03(g), a statement as to how the proposed zoning amendment will impact adjacent and proximate properties.

Response: This proposal will provide for uses and development that are in accordance with existing and future planned conditions in the general vicinity of the property. The subject property is surrounded on all sides by the East Nine of The New Albany Country Club golf course. On the other sides of the golf course are high quality single-family homes that are part of the New Albany County Club Communities. This proposal will facilitate the development of high-value single-family homes that meet or exceed the values of existing homes in the area. This zoning will permit the property to the developed consistent with the existing development pattern.

Per C.O. 1111.03(i), any deed restrictions, easements, covenants and encumbrances to be imposed to control the use, development and maintenance of the area to be rezoned.

Response: The property is subject to the New Albany Master Association and the New Albany County Club Communities Association.

Per C.O. 1159.07(b)(2)(F) The schedule of site development, construction of structures and associated facilities. Such schedule shall include the proposed use or reuse of existing features such as topography, streets, easements and natural areas.

Response: Development of the site will occur on a schedule that is based on market conditions. Approval of this proposal will allow the property to move toward installation and construction of needed infrastructure.

Per C.O. 1159.07(b)(2)(J) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: Information in this regard is provided by separate documentation being provided by the project's civil engineer.

Per C.O. 1159.07(b)(2)(K) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers, in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers.

Response: Information in this regard is provided by separate documentation being provided by the project's civil engineer.

EAST NINE INFILL PLANNED UNIT DEVELOPMENT (I-PUD)
ZONING TEXT

October 31, 2024

I **Introduction:** The East Nine I-PUD consists of 30.04+/- acres within the New Albany Country Club Communities, being surrounded by the golf course on all four sides. The site has been developed with public infrastructure, including (but not limited to) an extension of Head of Pond Road into the property from Lambton Park Road on the southwest, an extension of Baughman Grant into the property from the north, other internal streets, and utilities and stormwater management infrastructure. While infrastructure has been constructed, no homes have been built within the subdivision. The applicant desires to reconfigure parcels within the subdivision and to make some limited public infrastructure modifications and is pursuing this rezoning to accommodate these changes.

This rezoning will facilitate the creation of estate lots along with a pocket of upscale, clustered housing in the southeastern portion of the development that will frame an open space that will be meticulously designed to create a notable and unique feature for the neighborhood. Enhancements will be made to the vehicular entrances into the development, and modifications and upgrades are planned to an existing pedestrian overlook over a centralized pond, along with the addition of a second overlook. Most existing asphalt paths will be replaced with a brick sidewalk network internal to the site.

II. **Subareas:** The vast majority of the site is part of an existing platted subdivision known as The New Albany Country Club Section 30, and prior to the approval of this text is zoned as Subarea 1D of the 1998 NACO C-PUD. In addition to including all of the property within Section 30, the East Nine I-PUD will include a very limited portion of Subarea 1G of the 1998 NACO C-PUD. The East Nine I-PUD includes two subareas. Subarea 1 encompasses 26.30+/- acres covering the entire northern and central portions of the development, along with the central portions of the southernmost areas, and will contain estate lots. Subarea 2 totals 3.74+/- acres, including 0.32+/- acres located at and near the entrance to the community at the intersection of Lambton Park Road and Head of Pond Road as well as 3.40+/- acres within the southeastern portion of the development that will accommodate clustered housing.

III. **Development Standards:** Homes shall comply with the design guidelines of the development standards in this text. Unless otherwise specified in the submitted drawings or in this written text the development standards of Title Five of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this zoning district. If there is a conflict between the development standards contained in the Codified Ordinances and this text, the standards contained in this text shall govern.

IV. Subarea 1: The standards and requirements in this Section IV shall apply to Subarea 1.

A. Permitted Uses: Permitted uses include single-family detached homes, related accessory uses, and publicly or privately-owned parks and open spaces.

B. Density, Lot and Setback Commitments:

1. Number of Units: There shall be a maximum of 29 units in Subarea 1.

2. Street Frontage: All lots shall have frontage on and shall have vehicular access to and from a public street.

3. Minimum Lot Width: There shall be a minimum lot width of 90 feet at the building line.

4. Minimum Lot Depth: There shall be no minimum lot depth.

5. Setbacks:

a. Front Yards: The minimum front yard setback on a lot shall be 20 feet from the edge of right-of-way.

b. Side Yards: The minimum side yard setback on a lot shall be 15 feet.

c. Rear Yards: The minimum rear yard setback on a lot shall be 25 feet.

d. Exception: On the first lot located to the east of Head of Pond Road when entering the zoning district from Lambton Park Road there shall be no minimum setback requirements from lot lines.

e. Encroachments: Stoops, steps, and covered porches shall be permitted to encroach up to 5 feet into the minimum front yard setback. No encroachments into right-of-way or across a lot line shall be permitted on the lot that is identified in the immediately preceding subsection d.

C. Perimeter Landscaping: Along each perimeter boundary of Subarea 1 which is shared with property that is located outside of this zoning district, enhanced landscaping shall be provided in order to delineate this subdivision from the golf course. Such landscaping shall be provided within a 20-foot wide landscaping easement measured from each such perimeter boundary line. With the landscaping plan that is filed as part of a final development plan, the applicant shall provide the details for this landscaping.

V. **Subarea 2:** The standards and requirements in this Section V shall apply to Subarea 2.

A. Permitted Uses: Permitted uses include single-family detached and/or attached homes, related accessory uses, and publicly or privately-owned parks and open spaces.

B. Density, Lot and Setback Commitments:

1. Number of Units: There shall be a maximum of 11 units in Subarea 2.

2. Street Frontage: All lots shall have frontage on and shall have vehicular access to and from a public street.

3. Minimum Lot Depth: There shall be no minimum lot depth.

4. Setbacks: There shall be no minimum setbacks from any lot lines for parcels within this subarea for primary or accessory structures (detached or attached).

VI. **Standards Applicable to Both Subareas:** The standards and requirements in this Section VI. shall be applicable to both Subarea 1 and Subarea 2:

A. Architectural Standards: All homes shall be designed in accordance with the City's Design Guidelines and Requirements (DGRs). Maximum building heights shall be 35 feet.

B. Access Points: The vehicular access points to and from the zoning district exist and are both from the intersection of Lambton Park Road and Head of Pond Road and from Baughman Grant.

C. Rights-of-Way; Streets: Rights-of-way within this zoning district were previously dedicated to the City of New Albany as provided in that certain plat for The New Albany Country Club Section 30, which is of record with the Office of the Recorder of Franklin County, Ohio in Plat Book 132, Pages 86-89. The subdivision will be re-platted following this rezoning and approval of final development plans in order to reflect the approved standards and requirements of this application. Right-of-way and existing pavement widths shall remain as they exist within this I-PUD as provided in the existing plat and shall be reflected in the re-plat, except that the location of a limited portion of Head of Pond Road shall be modified along the eastern portion of Subarea 2 that has frontage on that street. The modified location of this portion of the street is illustrated in an accompanying exhibit but shall have a final location and specifications as approved in a final re-plat. The re-plat for this subdivision shall provide for a dedication of right-of-way to the City as necessary to accommodate the modified right-of-way location, as well as a dedication of any necessary associated easements. The City shall vacate any right-of-way and easements which are no longer needed to accommodate the street, utilities, or other public improvements once the re-plat is recorded, either as part of that re-plat or by other appropriate City action.

Within Subarea 2, a new public street will be provided in a "loop" configuration. The minimum right-of-way for this street shall be determined as part of the review and approval of a final development plan based on the final design of improvements within this subarea. Pavement for this street shall be a minimum of 20 feet in width unless otherwise approved as part of a final development plan. This street may be platted as part of the initial re-platting of the subdivision or may be platted as part of a further subsequent re-plat for Subarea 2. Green space within the public street loop shall be permitted to have hardscape and decorative vertical improvements, which may extend into the right-of-way if approved as part of a final development plan.

D. Lot Coverage. There shall be no maximum lot coverage ratio in this zoning district.

E. Parking:

1. Off-Street Parking: All homes shall be required to have a minimum of 2 off-street parking spaces on their driveways in addition to a minimum of 2 parking spaces within a garage.

2. On-Street Parking: Parking shall be permitted on both sides of the public streets within Subarea 1 and on one side of the public street in Subarea 2, except in areas where such parking will cause a traffic safety concern, as determined at the time of final development plan approval.

E. Public Sidewalks: A public brick sidewalk shall be located within the right-of-way on both sides of each of Head of Pond Road and Baughman Grant and along the western side of Head of Pond Court. An existing asphalt path shall remain along the east side of Head of Pond Court extending from its intersection with Head of Pond Road and through the zoning district Existing public sidewalks and leisure paths shall be removed to accommodate the brick sidewalks, which shall be a minimum of 4 feet in width.

F. Buffering, Landscaping, Open Space and Screening Commitments:

1. Parkland and Open Space: Parkland shall be dedicated to the City, and privately-owned open spaces shall be provided, in locations as specifically approved as part of one or more final development plans. Ownership of and maintenance responsibilities for these areas shall be defined and approved with the final development plan. To the extent that parkland and/or open space requirements of the City's Codified Ordinances cannot be provided within this zoning district, the developer shall withdraw parkland credits from its parkland bank that was created as part of the 1998 NACO PUD. The quantity of the withdrawal shall be detailed in a final development plan application.

2. Central Stormwater Management Basin. The stormwater management basin that will be centrally located within the development will be located in whole or in

part on privately owned lots. The basin shall be maintained by a forced and funded property owners' association and appropriate easements will be provided in a final plat or other recorded easement instrument(s) in order to memorialize the rights and obligations of the association in this regard.

3. Street Trees: Street trees shall be permitted but shall not be required in Subarea 2. If street trees are provided, details regarding their sizes and spacing shall be provided at the time of final development plan approval for this subarea.

4. Exemption to Section 1187.15(c)(6): This zoning district shall be exempt from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment.

G. Lighting:

1. Uplighting: Uplighting of the exterior of a home shall be prohibited.

2. Street Lights: Street lighting shall be provided at each street intersection with the fixture, color and spacing to be approved at time of final development plan. Street light height shall not exceed 18 feet in height. Street light poles and fixtures shall be consistent in height, color, and appearance throughout Subarea 1.

3. Entry Features: Lighting of entry features and any additional proposed lighting shall be provided and approved at time of final development plan. Ground mounted lighting shall be shielded and landscaped.

4. Fixtures: Fully shielded, downcast, cut-off type lighting fixtures shall be required. Exterior lighting fixtures shall be similar in appearance throughout Subarea 1

5. Other Requirements: Except as otherwise expressly provided in this text, lighting shall be provided in accordance with the City's Codified Ordinances.

H. Storage:

1. Storage Sheds: Storage sheds and other prefabricated storage structures shall be prohibited.

2. Equipment Storage: Storage of all maintenance equipment shall be within garages or otherwise screened from off-site view. Such items should not be visible from streets, common open spaces, adjacent lots or developments.

3. Vehicle Storage: All campers, off-road vehicles (i.e. box trucks), and boats, must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.

I. Garbage Cans: All garbage cans and other waste containers shall be kept in garages or within approved screened areas.

J. Utilities: All new utility lines shall be placed underground.

K. Graphics and Signage Commitments: This zoning district shall utilize standard City of New Albany street regulatory signage. Entry feature signage at the public street entrances into the zoning district from Lambton Park Road and Baughman Grant shall be permitted with designs that are approved by the Planning Commission as part of a final development plan.

XIII. Miscellaneous Standards:

A. Housing Bank: The approved zoning for the property within this zoning district as it exists prior to the approval of this rezoning allows for a maximum of 88 homes to be constructed. A previously approved final development plan and the plat for this subdivision provided for 36 homes to be constructed on the property, with the balance of the 88 homes that are permitted on the site having been deposited into the so-called "housing bank" under the 1998 NACO PUD. This rezoning allows for the construction of up to 40 homes in this zoning district. The applicant shall withdraw 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district as compared to the previously approved subdivision.

B. Variances and Appeals:

1. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this PUD text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

2. Variance and Appeals Process: The procedures and requirements of Chapter 1113, Appeal and Variances, of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. Requests for variances shall be heard by the Planning Commission.

APPLICANTS:

The New Albany Company
8000 Walton Parkway Suite 200
New Albany, OH 43054

PROPERTY OWNERS:

The New Albany Company
8000 Walton Parkway Suite 200
New Albany, OH 43054

ATTORNEY:

Aaron Underhill, Esq.
Underhill & Hodge LLC
8000 Walton Parkway Suite 120
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS:

New Albany Country Club Communi
Association Inc
P.O. Box 689
New Albany, OH 43054

MLLK LLC
7380 Lambton Park Road
New Albany, OH 43054

Candace and Michael Siegenthaler
7402 Lambton Park Road
New Albany, OH 43054

Arthur Scherbel
3898 Baughman Grant
New Albany, OH 43054

Gregory Searcy
7368 Lambton Park Road
New Albany, OH 43054

Saha Rina, Tr.
7348 Lambton Park Road
New Albany, OH 43054

Darren and Tara Miller
7300 Lambton Park Road
New Albany, OH 43054

Stephen Berardino, Tr.
3842 Lambton Place
New Albany, OH 43054

Irving Dennis
3856 Lambton Place
New Albany, OH 43054

John Dallepezze, Tr.
7216 Lambton Place
New Albany, OH 43054

Dast LLC
3853 Lambton Place
New Albany, OH 43054

Matthew Golis, Tr.
7240 Lambton Place
New Albany, OH 43054

Matthew Gibson, Tr.
7181 Lambton Park Road
New Albany, OH 43054

Kevin and Elaine Oak
7153 Lambton Park Road
New Albany, OH 43054

Ashley Stoner
7153 Lambton Park Road
New Albany, OH 43054

Monica Morgan Whitehead
945 Walnut Street
New Albany, Ohio 43054

Gregory Betchkal
7476 Fenway Road
New Albany, OH 43054

Jennifer Gode
4220 Baughman Grant
New Albany, OH 43054

Ryan Surmay
7502 Goodrich Square
New Albany, OH 43054

Gloria Galloway, Tr.
4184 Baughman Grant
New Albany, OH 43054

Everett Gallagher
7568 S. Goodrich Sq.
New Albany, OH 43054

Mark Rinkov
7543 N. Goodrich Sq.
New Albany, OH 43054

Kathy Worly, Tr.
4130 Baughman Grant
New Albany, OH 43054

Tomothy Stehle
4060 Baughman Grant
New Albany, OH 43054

Jamie Brown
4040 Baughman Grant
New Albany, OH 43054

Jeffrey Oehler
4158 Baughman Grant
New Albany, OH 43054

Catherine Krawczeski
4120 Baughman Grant
New Albany, OH 43054

4090 Baughman Grant LLC
4090 Baughman Grant
New Albany, OH 43054

Underhill & Hodge LLC
ATTORNEYS & COUNSELORS AT LAW

Aaron L. Underhill
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

P: 614.335.9321
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aaron@uhlawfirm.com

September 16, 2024

Chris Christian
Planner
City of New Albany
99 W. Main Street
New Albany, Ohio 43054

RE: School Impact of East Nine Residential Development

Dear Chris:

The New Albany Company LLC (NACO) has filed a rezoning and preliminary development plan application for 30.04+/- acres of real property that it intends to develop with 40 single-family homes. Prior to the approval of the proposed rezoning, the subject property is located within Subarea 1.d (Lambton Park Central Cluster) of the 1998 NACO PUD. A subdivision consisting of 36 lots was previously approved for the property pursuant to that zoning classification. The purpose of this letter is to highlight how this project will be financially beneficial to the New Albany-Plain Local School District (NAPLSD).

The property is located within the New Albany Country Club (NACC) community and sits among and between golf holes on the NACC golf course. Due to its prime location, and the enhancements to the subdivision that the rezoning will facilitate, it is anticipated that each home will be valued at no lower than $1,500,000, with the average value throughout the subdivision likely to be even higher. Homes will be custom built for each individual buyer/owner, and construction of all homes is anticipated to occur over five years or more.

Historically, the assumption used in school impact statements in New Albany has been that 0.8 students will be generated for each single-family home. The latest information available from the NAPLSD indicates that the annual cost to educate one student in the school district is $12,248[1], and that 86% of the funding of these costs is produced at the local level[2]. Therefore, the annual local cost to educate a student is $9,798 (0.86 x $12,248 = $9,798). If one assumes the typical average that is used in school impact statements for the City, an average of 0.8 students will reside in a single-family home, yielding a projected 32 students (0.8 students per home x 40 homes = 32 students). This translates to an annual total cost to educate students from this community of $313,536 (32 students x $9,798 annual local cost to educate on student = $313,536).

On the other hand, a home valued at $1,500,000 will generate $15,032 in annual taxes for the school district, calculated as follows:

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[1] Source: NAPLS website, pertaining to fiscal year 2022-2023. See https://www.napls.us/our-district/treasurer/how-we-compare

[2] Source: NAPLS Financial Forecast dated May 2024. See https://www.napls.us/our-district/treasurer/monthly-financial-reports

$1,500,000 home value x .35 = $525,000 assessed value

$525,000 assessed value x .064423 total residential effective millage rate[3] = $33,822 total annual taxes

$33,974 total annual taxes x 0.5759 school district share[4] = $19,478 annual school taxes per home

$19,565 school taxes per home x 40 homes = $779,120 total annual school taxes

So, using a conservative assumption on home values and the historic assumption for number of students that will live in the community, the proposed community will yield a net positive annual financial benefit to the school district of $465,584. This is enough surplus to cover the annual local costs of educating more than 45 students residing elsewhere in the district. Even if the number of students per home trends higher than the norm (which is not expected), the difference between taxes generated and costs to educate students is such that it is clear the subdivision will result in a positive financial outcome for the NAPLSD. This is true even without assuming that the average home value is likely to trend higher.

We look forward to more dialogue on this application and its benefits as we move through the City's review process.

Sincerely,

Aaron L. Underhill

Aaron L. Underhill

[3] Per Franklin County Auditor's 2023 tax rate
[4] Source: Franklin County Auditor

EAST NINE I-PUD

PARCELS INCLUDED IN REZONING, PRELIMINARY DEVELOPMENT PLAN, AND PRELIMINARY PLAT APPLICATIONS

Franklin County Auditor Parcel Numbers:

222-005185	222-005203	222-005183
222-005186	222-005204	222-005184
222-005187	222-005205	222-001668
222-005188	222-005206	222-005216
222-005189	222-005207	222-005218
222-005190	222-005208	222-004458 (limited portion)
222-005191	222-005209	
222-005192	222-005210	
222-005193	222-005211	
222-005194	222-005212	
222-005195	222-005213	
222-005196	222-005214	
222-005197	222-005215	
222-005198	222-005216	
222-005199	222-005217	
222-005200	222-005180	
222-005201	222-005181	
222-005202	222-005182	
222-005185		
222-005185		
222-005185		
222-005185		
222-005185		

EMH&T
Engineers, Surveyors, Planners, Scientists

September 13, 2024

Mr. Steve Mayer
City of New Albany
Development Department
99 West Main Street
New Albany, OH 43054

Subject: Country Club Section 30 'Blenheim' – Environmental Compliance

Dear Mr. Mayer,

This letter serves to inform the City of New Albany of environmental conditions associated with the Country Club Section 30 'Blenheim' project, located south of Baughman Grant Road, and west, east, and north of Lambton Park Road, in the City of New Albany, Franklin County, Ohio. The property consists of a partially constructed residential neighborhood with graded lots, streets, and leisure trails.

The property was delineated for Waters of the U.S. in 2016 by the Environmental Department of EMH&T. The property contained an isolated wetland, three jurisdictional wetlands, a pond, and a stream. An Isolated Wetlands Permit was obtained from Ohio EPA in 2017 to impact the isolated wetland, and it was subsequently filled by the New Albany Company (NACO). A permit was also obtained from the U.S. Army Corps of Engineers (USACE) to extend a new road from Baughman Grant into the site and across a wetland and stream. These impacts were completed and the road is in use. The remaining two delineated wetlands are preserved to the north of the lots along Baughman Drive and Head of Pond Ct.

If you have any questions regarding this information or require additional documentation, please do not hesitate to contact me at (614) 775-4515.

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Robert F. Milligan
Director of Environmental Services
Principal

Cc: Brian Quackenbush, EMH&T

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
November 18, 2024 Meeting

NEW ALBANY COUNTRY CLUB SECTION 30
PRELIMINARY PLAT

LOCATION:	Section 30 of the New Albany Country Club (East Nine) (PID: 222-005185 and 46 others, see attached).
APPLICANT:	The New Albany Company LLC, c/o Aaron Underhill, Esq.
REQUEST:	Preliminary Plat
ZONING:	1998 NACO C-PUD; subarea 1.d
STRATEGIC PLAN:	Residential District
APPLICATION:	PP-76-2024

Review based on: Application materials received September 23, 2024 and November 1, 2024

Staff report completed by Sierra Saumenig, Planner.

I. REQUEST AND BACKGROUND

On March 31, 2021, the applicant received approval for a preliminary plat for Section 30 of the New Albany Country Club. That plat included 37 residential lots, five reserves, and three new roads.

The applicant requests a revision to Section 30, and the plat now proposes 40 residential lots and six reserves (A, B, C, D, E, and F). The three streets previously approved in 2021 remain the same apart from a limited portion of Head of Pond Road. If this is approved, the applicant must return to the Planning Commission in the future for review and approval of a final plat application.

There is a rezoning/preliminary development plan application for the property on the agenda and is evaluated under a separate staff report ZC-71-2024.

II. SITE DESCRIPTION & USE

The 30.04+/- acre development area is part of a larger 105.34+/- acre property. A majority of the property contains portions of the New Albany Country Club golf course as well as 36 previously platted residential lots, five reserves, and three public streets. The surrounding land uses include the golf course and residentially zoned and used land.

III. PLAN REVIEW

Planning Commission's review authority of the preliminary plat is found under C.O. Section 1187. The applicant must return to the Planning Commission for review and approval of a final plat. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

- The plat shows 40 residential lots to be developed. The proposed lot layout and dimensions match what is shown on the proposed rezoning/preliminary development plan and meet the requirements of the zoning text.
    - The preliminary plat appropriately shows the lot widths in Subarea 1 to be at least 90 feet, as required by zoning text section VI(B)(3).
    - For subarea 2, there are no minimum setbacks from any lot lines.

- The plat does not appropriately show the following setbacks, as required by the zoning text:
    - The setbacks for Subarea 1 required by the zoning text are as follows:
        - Front Yards: Minimum 20 feet
        - Side Yards: Minimum 15 feet
        - Rear Yards: Minimum 25 feet
    - Staff recommends a condition of approval that the setbacks on the preliminary plat are revised to match the zoning text.
- This plat contains six (6) reserve areas shown as reserves A, B, C, D, E and F on the plat with a total acreage of 5.7. According to the plat notes, all of the proposed reserve areas will be used as open space for the subdivision. Ownership and maintenance obligations will be reviewed with the final development plan application. C.O. 1187.16(b) states that all publicly and privately owned parks and open space must be accessible by roadway or public access easement.
- The plat retains the previously approved three (3) new publicly dedicated streets which includes Head of Pond Court, Head of Pond Road, and Baughman Grant.
    - All right-of-way and existing pavement widths shall remain as they exist except for a limited portion of Head of Pond Road shall be modified along the eastern portion of Subarea 2 that has frontage on that street. The final modified right-of-way location and specifications will be reviewed in the final plat.
- Proposed developer utility and proposed public utility easements are not required to be shown. These are reviewed as part of the final development plan.
- C.O. 1187.04(d)(4) and (5) requires verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act and to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. The applicant has submitted an environmental compliance letter.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that this comment be addressed at the time of final development plan, subject to staff approval.

1. Work with staff to develop landscape easement language that makes it clear if any other above grade or below grade structure, private or public utilities for example, are permitted to be installed within landscape easement areas.

VI. ACTION

The preliminary plat is generally consistent with the rezoning/preliminary development plan and meets code requirements. Should the Planning Commission approve the application, the following motion would be appropriate:

Suggested Motion for PP-76-2024:

Move to approve preliminary plat application PP-76-2024 with the following conditions.

1. ZC-71-2024 must be approved by the Planning Commission.
2. The city engineer comment must be addressed, subject to staff approval.
3. That the preliminary plat be revised to show the correct setbacks as required by the zoning text.
4. Parkland and open space ownership and maintenance obligations are reviewed with the final development plan applications.

Approximate Site Location:



Source: NearMap

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.616-02
November 5, 2024

To: Sierra Saumenig
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: NACC 30 Blenheim
Preliminary Plat

We reviewed the referenced plat in accordance with Code Section 1187.04. Our review comments are as follows:

1. Work with staff to develop landscape easement language that makes it clear if any other above grade or below grade structure, private or public utilities for example, are permitted to be installed within landscape easement areas.

MEF/JMH

cc: Josh Albright, Development Engineer

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address O Head of Pond Road

Parcel Numbers Franklin County Auditor 222-005185 and others (see attached)

Acres 30.04 +/- # of lots created 40

Choose Application Type	Circle all Details that Apply			
☐☐Appeal				
☐☐Certificate of Appropriateness				
☐☐Conditional Use				
☐☐Development Plan	Preliminary	Final	Comprehensive	Amendment
☐☐Plat	Preliminary	Final		
☐☐Lot Changes	Combination	Split	Adjustment	
☐☐Minor Commercial Subdivision				
☐☐Vacation	Easement		Street	
☐☐Variance				
☐☐Extension Request				
☐☐Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Review of preliminary plat concerning the East Nine I- PUD.

Contacts

Property Owner's Name: The New Albany Company LLC

Address: C/o Underhill and Hodge LLC, ATTN: Aaron Underhill, Esq.

City, State, Zip: 8000 Walton Parkway, Suite 120, New Albany, OH 43054

Phone number: 614-335-9320 Fax: _____

Email: aaron@uhlawfirm.com

Applicant's Name: Same as Owner

Address: _____

City, State, Zip: _____

Phone number: _____ Fax: _____

Email: _____

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner By: _____ Date: 11/7/24

Signature of Applicant By: _____ Date: 11/7/24

Aaron Underhill, attorney for owner/applicant

Fees & Submittal Information

Appeal			250.00
Certificate of Appropriateness			
	ARB – single and two family residential		100.00
	ARB – All other residential or commercial		300.00
	ARB - Signage		75.00
Conditional Use			600.00
Development Plan – Preliminary PUD or Comprehensive			
	Planning fee	First 10 acres	750.00
		Each additional 5 acres or part thereof	50.00 / each
	Engineering fee	1-25 lots	155.00 / each
		Minimum fee	1000.00
	Engineering fee	26 – 50 lots	3875.00
		Each additional lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
		Each additional lot over 51	50.00 / each
Development Plan – Final PUD			
	Planning fee	First 10 acres	650.00
		Each additional 5 acres or part thereof	50.00
	Engineering fee	1-25 lots (minimum fee $1,000.00)	155.00 / each
	Engineering fee	26 – 50 lots	3875.00
		Each additional lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
		Each additional lot over 51	50.00 / each
Development Plan – Non-PUD			300.00
Development Plan / Text Amendment			600.00
Plat – Road Preliminary			
	Planning fee		350.00
	Engineering fee	no lots on either side of street	1.00 / LF
		lots on one side of street	.50 / LF
		Minimum fee	1,000.00
Plat – Road Final			
	Planning fee		350.00
	Engineering fee	no lots on either side of street	1.00 / LF
		lots on one side of street	.50 / LF
		Minimum fee	1,000.00
Plat – Subdivision Preliminary			
	Planning		650.00
		Plus each lot	50.00 / each
	Engineering fee	1-25 lots (minimum fee $1,000.00)	155.00 / each
	Engineering fee	26 – 50 lots	3875.00
		Each lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
		Each lot over 51	50.00 / each

Fees & Submittal Requirements

Plat – Subdivision Final			
	Planning		650.00
		Plus each lot	15.00 / each
	Engineering fee	1-25 lots (minimum fee $1,000.00)	155.00 /each
	Engineering fee	26-50 lots	3875.00
		Each lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
		Each lot over 51	50.00 / each
Lot Changes			200.00
Minor Commercial Subdivision			200.00
Vacation (Street or Easement)			1200.00
Variance			
Non-single family, commercial, subdivision, multiple properties			600.00
Single Family residence			250.00
In conjunction with Certification of Appropriateness			100.00
Extension Request			0.00
Zoning			
	Rezoning - First 10 acres		700.00
		Each additional 5 acres or part thereof	50.00 / each
	Rezoning to Rocky Fork Blacklick Accord		250.00
	Text Modification		600.00
Easement Encroachment			800.00

0.3 ACRE

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the northwesterly corner of Lot 6 of the subdivision entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86,in the southerly right of way line of Head of Pond Road;

Thence North 10° 11' 46" West, crossing said Head of Pond Road, a distance of 57.08 feet to a point in the northerly right-of-way of said Head of Pond Road, the TRUE POINT OF BEGINNING for this description;

Thence the following courses and distances:

With the arc of a curve to the right, having a central angle of 31° 29' 14", a radius of 125.00 feet, an arc length of 68.69 feet, a chord bearing of South 60° 55' 05" West and chord distance of 67.83 feet to a point;

South 76° 39' 42" West, a distance of 55.64 feet to a point;

With the arc of a curve to the left, having a central angle of 25° 14' 29", a radius of 175.00 feet, an arc length of 77.10 feet, a chord bearing of South 64° 02' 28" West and chord distance of 76.47 feet to a point;

South 51° 25' 13" West, a distance of 30.75 feet to a point;

With the arc of a curve to the right, having a central angle of 20° 10' 55", a radius of 20.00 feet, an arc length of 7.04 feet, a chord bearing of South 61° 30' 41" West and chord distance of 7.01 feet to a point;

North 51° 24' 17" West, a distance of 3.06 feet to a point;

North 51° 28' 11" West, a distance of 13.86 feet to a point;

North 00° 00' 00" East, a distance of 91.81 feet to a point;

North 05° 34' 14" West, a distance of 12.39 feet to a point;

North 84° 18' 02" East, a distance of 39.69 feet to a point;

South 88° 36' 16" East, a distance of 41.61 feet to a point;

North 87° 51' 49" East, a distance of 63.85 feet to a point;

North 86° 11' 08" East, a distance of 33.16 feet to a point; and

South 67° 19' 32" East, a distance of 52.92 feet to the TRUE POINT OF BEGINNING, containing 0.3 acre of land, more or less.

3.4 ACRES

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being comprised of part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195, all of Lots 10 to 14, part of Lots 9 and 15, all of Reserve "A", and part of the right of way as shown on the subdivision plat entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning at the common easterly corner of Lots 14 and 15 of said New Albany Country Club Section 30, in a westerly line of said The New Albany Company LLC tract;

Thence the following courses and distances:

South 08° 37' 23" West, a distance of 43.60 feet to a point;

South 07° 10' 19" East, a distance of 257.38 feet to a point;

With the arc of a curve to the right, having a central angle of 131° 08' 12", a radius of 93.43 feet, an arc length of 213.83 feet, a chord bearing of South 58° 23' 47" West and chord distance of 170.12 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 47' 53", a radius of 750.00 feet, an arc length of 298.43 feet, a chord bearing of North 67° 26' 03" West and chord distance of 296.46 feet to a point;

North 78° 50' 00" West, a distance of 38.37 feet to a point;

North 02° 59' 33" East, a distance of 194.13 feet to a point;

With the arc of a curve to the right, having a central angle of 00° 28' 10", a radius of 1055.00 feet, an arc length of 8.64 feet, a chord bearing of South 71° 38' 41" East and chord distance of 8.64 feet to a point;

With the arc of a curve to the left, having a central angle of 104° 25' 30", a radius of 172.50 feet, an arc length of 314.39 feet, a chord bearing of North 56° 22' 39" East and chord distance of 272.65 feet to a point;

North 04° 09' 54" East, a distance of 23.04 feet to a point;

South 75° 28' 02" East, a distance of 197.44 feet to a point; and

South 08° 37' 23" West, a distance of 49.69 feet to the POINT OF BEGINNING, containing 3.4 acres of land, more or less.

26.3 ACRES

Situated in the State of Ohio, County of Franklin, City of New Albany, in Quarter Township 3, Township 2, Range 16, United States Military Lands, being comprised of part of that tract of land conveyed to The New Albany Company LLC by deed of record in Instrument Number 201009020114195, all of lots 1 to 8 and 16 to 36, part of Lots 9 and 15, all of Reserves "B", "C" "D" and "E", and part of the right of way shown on the subdivision plat entitled "New Albany Country Club Section 30", of record in Plat Book 132, Page 86 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning at the northwesterly corner of Lot 6 of said " New Albany Country Club Section 30", in the southerly right of way line of Head of Pond Road;

Thence the following courses and distances:

With the arc of a curve to the right, having a central angle of 20° 48' 20", a radius of 175.00 feet, an arc length of 63.55 feet, a chord bearing of South 66° 15' 32" West and chord distance of 63.20 feet to a point;

South 76° 39' 42" West, a distance of 16.98 feet to a point;

With the arc of a curve to the left, having a central angle of 18° 35' 26", a radius of 50.00 feet, an arc length of 16.22 feet, a chord bearing of South 67° 21' 59" West and chord distance of 16.15 feet to a point;

South 58° 04' 16" West, a distance of 16.94 feet to a point;

With the arc of a curve to the right, having a central angle of 07° 49' 23", a radius of 105.00 feet, an arc length of 14.34 feet, a chord bearing of South 61° 58' 57" West and chord distance of 14.33 feet to a point;

South 20° 20' 10" East, a distance of 12.31 feet to a point;

South 69° 39' 50" West, a distance of 13.33 feet to a point;

North 20° 20' 10" West, a distance of 12.08 feet to a point;

South 69° 39' 50" West, a distance of 29.30 feet to a point;

With the arc of a curve to the left, having a central angle of 18° 14' 36", a radius of 45.00 feet, an arc length of 14.33 feet, a chord bearing of South 60° 32' 31" West and chord distance of 14.27 feet to a point;

South 51° 25' 13" West, a distance of 5.44 feet to a point;

With the arc of a curve to the left, having a central angle of 53° 07' 48", a radius of 10.00 feet, an arc length of 9.27 feet, a chord bearing of South 24° 51' 19" West and chord distance of 8.94 feet to a point;

With the arc of a curve to the left, having a central angle of 49° 41' 38", a radius of 20.00 feet, an arc length of 17.35 feet, a chord bearing of South 26° 33' 24" East and chord distance of 16.81 feet to a point;

North 51° 24' 13" West, a distance of 92.30 feet to a point;

With the arc of a curve to the left, having a central angle of 77° 10' 34", a radius of 20.00 feet, an arc length of 26.94 feet, a chord bearing of South 89° 59' 30" East and chord distance of 24.95 feet to a point;

North 51° 25' 13" East, a distance of 30.75 feet to a point;

With the arc of a curve to the right, having a central angle of 25° 14' 29", a radius of 175.00 feet, an arc length of 77.10 feet, a chord bearing of North 64° 02' 28" East and chord distance of 76.47 feet to a point;

North 76° 39' 42" East, a distance of 55.64 feet to a point;

With the arc of a curve to the left, having a central angle of 43° 14' 24", a radius of 125.00 feet, an arc length of 94.34 feet, a chord bearing of North 55° 02' 30" East and chord distance of 92.11 feet to a point;

With the arc of a curve to the right, having a central angle of 06° 40' 37", a radius of 585.00 feet, an arc length of 68.17 feet, a chord bearing of North 36° 45' 36" East and chord distance of 68.13 feet to a point;

With the arc of a curve to the right, having a central angle of 03° 22' 48", a radius of 185.00 feet, an arc length of 10.91 feet, a chord bearing of North 41° 47' 19" East and chord distance of 10.91 feet to a point;

North 27° 38' 14" East, a distance of 185.92 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 09' 51", a radius of 375.00 feet, an arc length of 145.06 feet, a chord bearing of North 16° 33' 18" East and chord distance of 144.16 feet to a point;

With the arc of a curve to the left, having a central angle of 33° 33' 03", a radius of 585.00 feet, an arc length of 342.56 feet, a chord bearing of North 11° 18' 09" West and chord distance of 337.69 feet to a point;

With the arc of a curve to the right, having a central angle of 31° 59' 55", a radius of 390.00 feet, an arc length of 217.81 feet, a chord bearing of North 12° 04' 42" West and chord distance of 214.99 feet to a point;

North 03° 55' 15" East, a distance of 34.86 feet to a point;

With the arc of a curve to the right, having a central angle of 27° 27' 24", a radius of 100.00 feet, an arc length of 47.92 feet, a chord bearing of North 17° 38' 57" East and chord distance of 47.46 feet to a point;

North 31° 22' 39" East, a distance of 105.88 feet to a point;

With the arc of a curve to the left, having a central angle of 21° 21' 03", a radius of 100.00 feet, an arc length of 37.26 feet, a chord bearing of North 20° 42' 07" East and chord distance of 37.05 feet to a point;

North 05° 06' 54" East, a distance of 41.35 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 38' 22", a radius of 26.50 feet, an arc length of 10.47 feet, a chord bearing of North 06° 12' 17" West and chord distance of 10.40 feet to a point of tangency;

North 17° 31' 28" West, a distance of 24.35 feet to a point;

With the arc of a curve to the right, having a central angle of 22° 38' 22", a radius of 33.50 feet, an arc length of 13.24 feet, a chord bearing of North 06° 12' 17" West and chord distance of 13.15 feet to a point;

North 05° 06' 54" East, a distance of 47.25 feet to a point;

North 84° 53' 06" West, a distance of 10.39 feet to a point;

North 06° 06' 19" East, a distance of 17.20 feet to a point;

South 84° 52' 39" East, a distance of 79.09 feet to a point;

South 09° 58' 43" West, a distance of 22.70 feet to a point;

South 84° 53' 08" East, a distance of 95.38 feet to a point;

With the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing of South 39° 53' 08" East and chord distance of 28.28 feet to a point;

South 05° 06' 52" West, a distance of 17.43 feet to a point;

With the arc of a curve to the left, having a central angle of 23° 52' 01", a radius of 50.00 feet, an arc length of 20.83 feet, a chord bearing of South 06° 49' 08" East and chord distance of 20.68 feet to a point of tangency;

South 18° 45' 09" East, a distance of 10.38 feet to a point;

With the arc of a curve to the right, having a central angle of 26° 57' 15", a radius of 50.00 feet, an arc length of 23.52 feet, a chord bearing of South 05° 16' 31" East and chord distance of 23.31 feet to a point;

With the arc of a curve to the left, having a central angle of 39° 32' 20", a radius of 200.00 feet, an arc length of 138.02 feet, a chord bearing of South 11° 34' 04" East and chord distance of 135.29 feet to a point;

North 50° 59' 44" East, a distance of 95.11 feet to a point;

North 24° 01' 42" East, a distance of 56.14 feet to a point;

With the arc of a curve to the right, having a central angle of 46° 27' 58", a radius of 50.00 feet, an arc length of 40.55 feet, a chord bearing of North 47° 15' 41" East and chord distance of 39.45 feet to a point;

North 64° 53' 51" East, a distance of 51.49 feet to a point;

North 57° 08' 42" East, a distance of 146.28 feet to a point;

South 86° 00' 26" East, a distance of 58.83 feet to a point;

North 80° 42' 08" East, a distance of 60.45 feet to a point;

North 50° 20' 56" East, a distance of 73.68 feet to a point;

North 56° 50' 04" East, a distance of 57.30 feet to a point;

North 62° 27' 43" East, a distance of 47.86 feet to a point;

North 80° 03' 01" East, a distance of 143.15 feet to a point;

South 82° 21' 43" East, a distance of 62.17 feet to a point;

With the arc of a curve to the right, having a central angle of 79° 13' 06", a radius of 25.00 feet, an arc length of 34.57 feet, a chord bearing of South 42° 45' 10" East and chord distance of 31.88 feet to a point;

South 03° 08' 37" East, a distance of 23.89 feet to a point;

With the arc of a curve to the right, having a central angle of 69° 04' 41", a radius of 25.00 feet, an arc length of 30.14 feet, a chord bearing of South 31° 23' 43" West and chord distance of 28.35 feet to a point;

South 65° 56' 04" West, a distance of 98.19 feet to a point;

With the arc of a curve to the left, having a central angle of 139° 07' 55", a radius of 40.00 feet, an arc length of 97.13 feet, a chord bearing of South 03° 37' 54" East and chord distance of 74.97 feet to a point;

North 78° 53' 16" East, a distance of 9.41 feet to a point;

South 72° 59' 51" East, a distance of 65.84 feet to a point;

North 87° 52' 46" East, a distance of 123.12 feet to a point;

South 82° 39' 05" East, a distance of 57.50 feet to a point;

South 09° 41' 08" West, a distance of 158.55 feet to a point;

With the arc of a curve to the left, having a central angle of 60° 26' 34", a radius of 115.53 feet, an arc length of 121.87 feet, a chord bearing of North 86° 33' 45" West and chord distance of 116.30 feet to a point;

With the arc of a curve to the left, having a central angle of 26° 25' 13", a radius of 265.73 feet, an arc length of 122.54 feet, a chord bearing of South 54° 43' 50" West and chord distance of 121.45 feet to a point;

South 22° 16' 04" West, a distance of 208.02 feet to a point;

South 04° 12' 46" West, a distance of 241.11 feet to a point;

South 07° 58' 09" West, a distance of 239.64 feet to a point;

South 08° 37' 23" West, a distance of 129.83 feet to a point;

North 75° 28' 02" West, a distance of 197.44 feet to a point;

South 04° 09' 54" West, a distance of 23.04 feet to a point;

With the arc of a curve to the right, having a central angle of 104° 25' 30", a radius of 172.50 feet, an arc length of 314.39 feet, a chord bearing of South 56° 22' 39" West and chord distance of 272.65 feet to a point;

With the arc of a curve to the left, having a central angle of 00° 28' 10", a radius of 1055.00 feet, an arc length of 8.64 feet, a chord bearing of North 71° 38' 41" West and chord distance of 8.64 feet to a point;

South 02° 59' 33" West, a distance of 194.13 feet to a point;

North 78° 50' 00" West, a distance of 29.15 feet to a point;

With the arc of a curve to the left, having a central angle of 14° 08' 44", a radius of 500.00 feet, an arc length of 123.44 feet, a chord bearing of North 85° 54' 22" West and chord distance of 123.13 feet to a point;

With the arc of a curve to the right, having a central angle of 23° 17' 49", a radius of 350.00 feet, an arc length of 142.31 feet, a chord bearing of North 81° 19' 49" West and chord distance of 141.33 feet to a point;

With the arc of a curve to the left, having a central angle of 17° 04' 26", a radius of 400.00 feet, an arc length of 119.20 feet, a chord bearing of North 78° 13' 08" West and chord distance of 118.76 feet to a point;

With the arc of a curve to the right, having a central angle of 29° 40' 42", a radius of 100.00 feet, an arc length of 51.80 feet, a chord bearing of North 71° 55' 00" West and chord distance of 51.22 feet to a point; and

With the arc of a curve to the right, having a central angle of 36° 55' 11", a radius of 50.00 feet, an arc length of 32.22 feet, a chord bearing of North 38° 37' 03" West and chord distance of 31.66 feet to the POINT OF BEGINNING, containing 26.3 acres of land, more or less.

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO

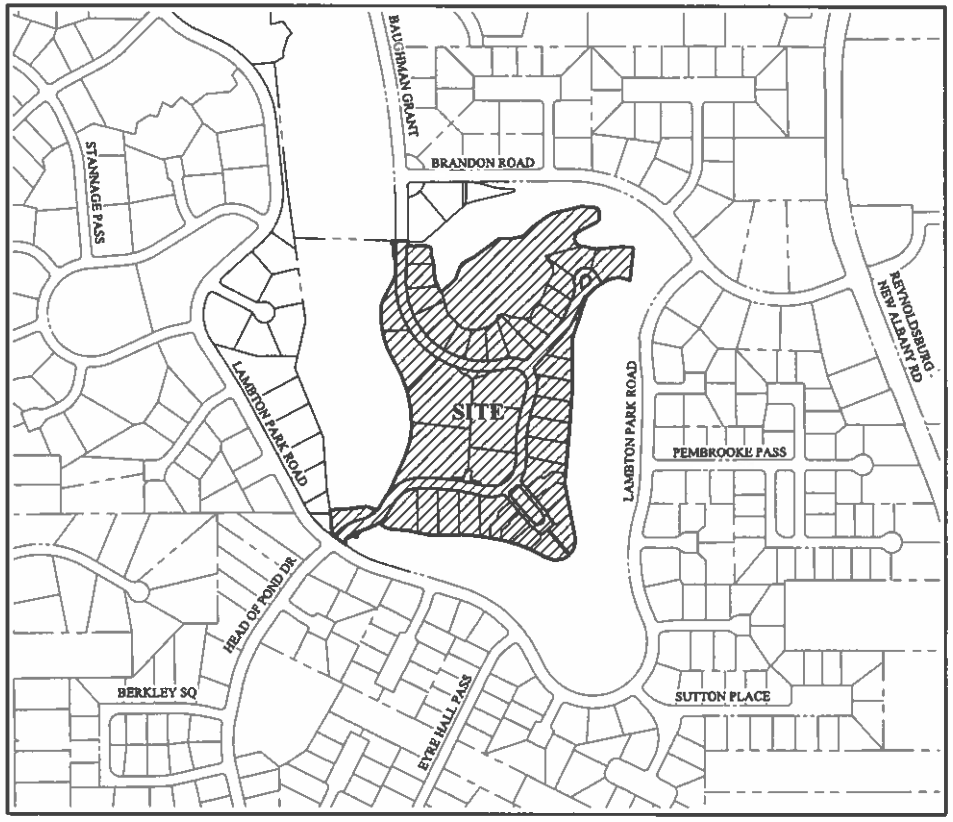
PRELIMINARY PLAT

FOR

NEW ALBANY COUNTRY CLUB SECTION 30

BLENHEIM

2024



INDEX MAP

GRAPHIC SCALE

1 inch = 300 feet

SHEET INDEX

Cover Sheet	1
Existing Conditions Plan	2
Site Plan	3
Utility Plan	4
Grading Plan	5
Street Typical Sections	6

NOTE

See separate submittal package for Landscape Plans.

DEVELOPER/OWNER

The New Albany Company
Tom Rubey
8000 Walton Parkway, Suite 120
New Albany, Ohio 43054
Tel: (614) 939-8838

ENGINEER

EMH&T, Inc.
Brian Goodenbour, PE
5500 New Albany Road
Columbus, Ohio 43054
Tel: (614)-775-7380

ARCHITECT

Brian Kent Jones Architects
Brian Jones, AIA
865 City Park Avenue
Columbus, Ohio 43215
Tel: (614)-368-3728

LANDSCAPE ARCHITECT

REALM Collaborative
Brian Stevenson
100 E. Broad Street, Suite 1710
Columbus, Ohio 43215
Tel: (216)-647-4888

APPROVALS:

Planning Commission Chair — Date

Vice Chair or Designee — Date

Professional Engineer — Date

Professional Surveyor — Date

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

REVISIONS

NO.	DATE	DESCRIPTION

THE NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
FOR
NEW ALBANY COUNTRY CLUB SECTION 30
BLENHEIM
COVER SHEET

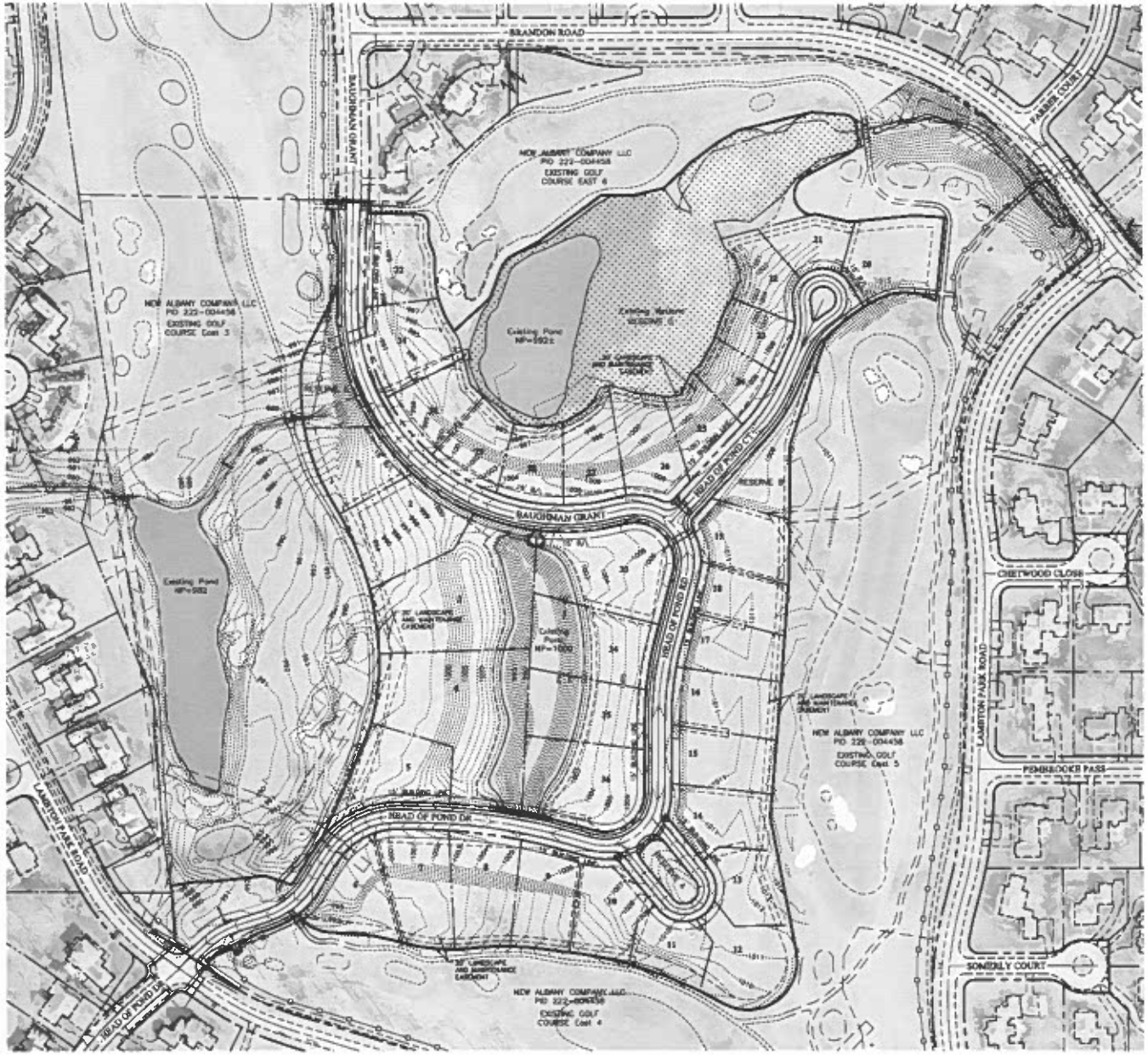
EMH&T

DATE
September 16, 2024

SCALE
1" = 300'

JOB NO.
20201005

SHEET
1/6



GRAPHIC SCALE

1 inch = 100 feet

PRELIMINARY

NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
PUD

NEW ALBANY COUNTRY CLUB SECTION 30
BLENHEIM
EXISTING CONDITIONS PLAN

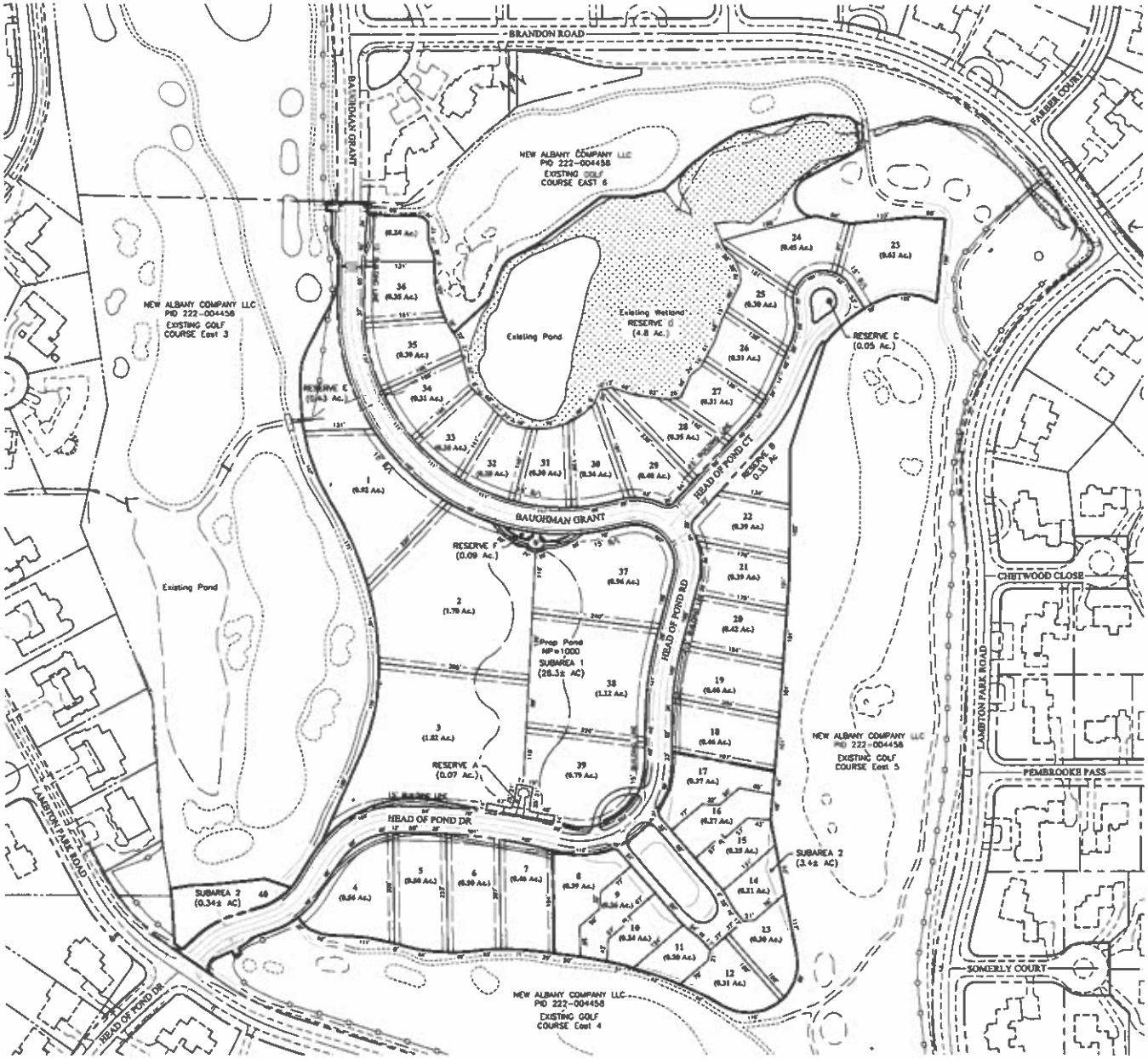
THE NEW ALBANY COMPANY

DATE
September 16, 2024

SCALE
1" = 100'

JOB NO.
20201005

SHEET
2/6



GRAPHIC SCALE

1 inch = 100 feet

SITE STATISTICS:

TOTAL ACREAGE:	±30.8 ACRES
RIGHT-OF-WAY:	±3.9 ACRES
NET RESIDENTIAL ACREAGE:	±26.1 ACRES
NUMBER OF LOTS:	40
GROSS DENSITY:	±1.33 DU/AC
NET DENSITY:	±1.53 DU/AC
PARKLAND DEDICATION REQUIRED: (2,400 S.F. PER UNIT)	±2.2 ACRES
SUBDIVISION OPEN SPACE REQUIRED: (20% OF GROSS SITE AREA ±30.1 ACRES)	±6.0 ACRES
TOTAL OPEN SPACE REQUIRED:	±8.2 ACRES
OPEN SPACE:	
RESERVE A:	±0.07 ACRES
RESERVE B:	±0.33 ACRES
RESERVE C:	±0.05 ACRES
RESERVE D:	±4.8 ACRES
RESERVE E:	±0.43 ACRES
RESERVE F:	±0.09 ACRES
TOTAL OPEN SPACE PROVIDED:	±5.7 ACRES
ZONING:	CPUD

DEVELOPMENT STANDARDS:

SUBAREA 1 SETBACKS	
FRONT YARD / BUILDING LINE:	15 FEET
SIDE YARD:	10 FEET (TOTAL OF 20 FEET)
REAR YARD:	10 FEET
SUBAREA 2 SETBACKS	
FRONT YARD / BUILDING LINE:	0 FEET
SIDE YARD:	0 FEET
REAR YARD:	0 FEET

NOTE:

NOTE "A": ON-STREET PARKING IS PROHIBITED FOR ALL STREETS THAT ARE 22 FEET WIDE FACE TO FACE OR 23 FEET BACK TO BACK.

NOTE "B": OPEN SPACE TO BE OWNED AND MAINTAINED BY THE NEW ALBANY COUNTRY CLUB SECTION 30 HOMEOWNERS ASSOCIATION.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

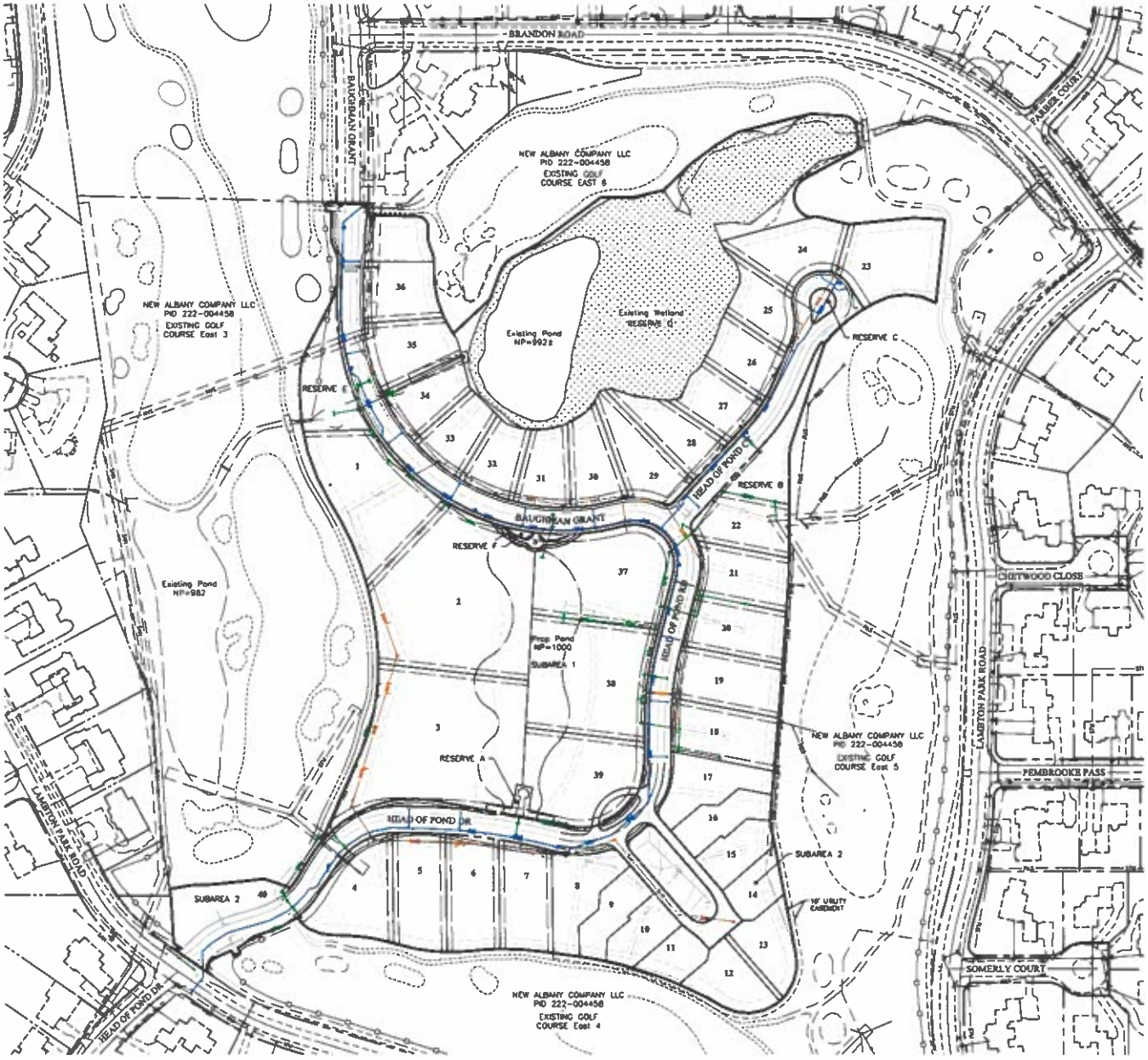
ISSUE	DATE	DESCRIPTION
		REVISIONS

THE NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
NEW ALBANY COUNTRY CLUB SECTION 30
BLENHEIM
SITE PLAN

EMH&T
Engineers, Surveyors, Planners & Scientists
5500 New Albany Road, Columbus, OH 43054
614.775.4500 www.emht.com

DATE: September 16, 2024
SCALE: 1" = 100'
JOB NO.: 30201095
SHEET: 3/6



GRAPHIC SCALE

0 50 100 200

1 inch = 100 feet

PROPOSED

Sanitary Sewer

Storm Sewer

Water Main

EXISTING

Utilities To Be Removed

PRELIMINARY

NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

MARK	DATE	DESCRIPTION

REVISIONS

THE NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
PART 6

NEW ALBANY COUNTRY CLUB SECTION 39
BLENHEIM
UTILITY PLAN

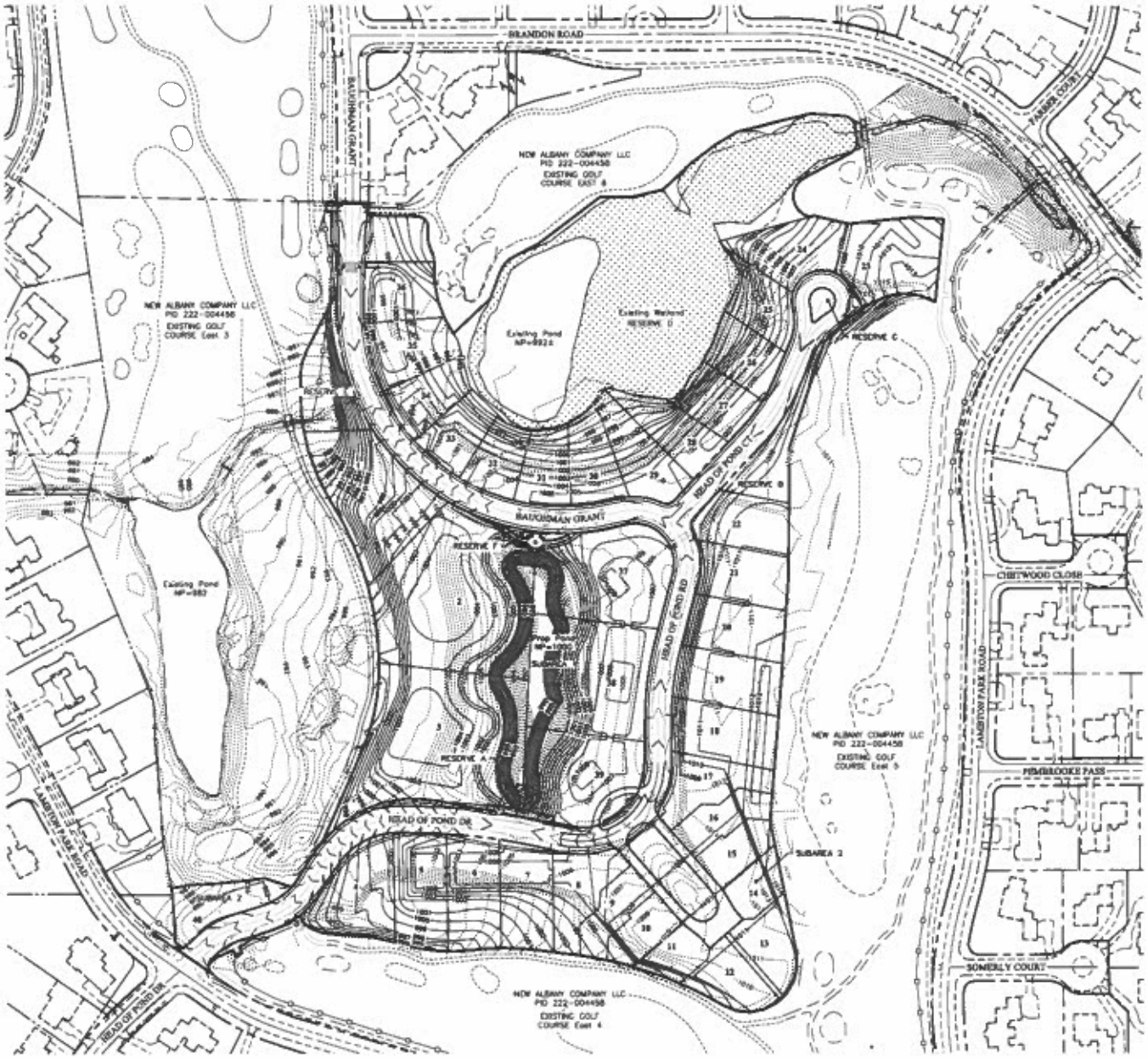
EMH&T

DATE
September 16, 2024

SCALE
1" = 100'

JOB NO.
20201095

SHEET
4/6



GRAPHIC SCALE

LEGEND

Existing Contour

Proposed Contour

STORMWATER MANAGEMENT NOTE

The volume of the existing basin will be maintained or increased with the regrading proposed with this preliminary plat.

PRELIMINARY

NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
September 16, 2024

REVISIONS

THE NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
PHASE

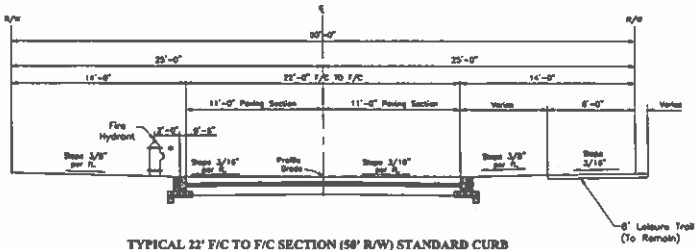
NEW ALBANY COUNTRY CLUB SECTION 39
BLENHEIM
GRADING PLAN

DATE
September 16, 2024

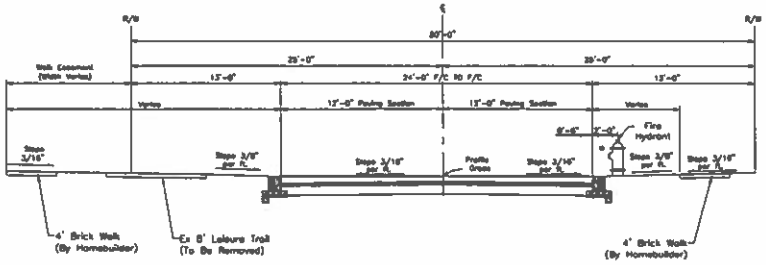
SCALE
1" = 100'

JOB NO.
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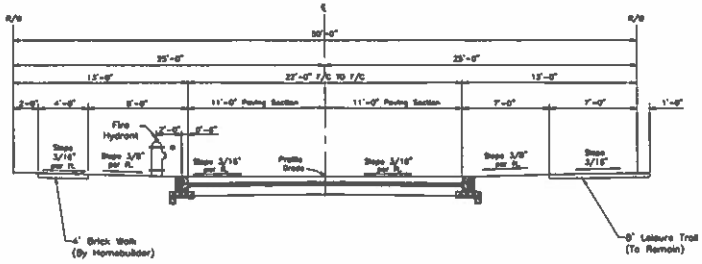
SHEET
5/6



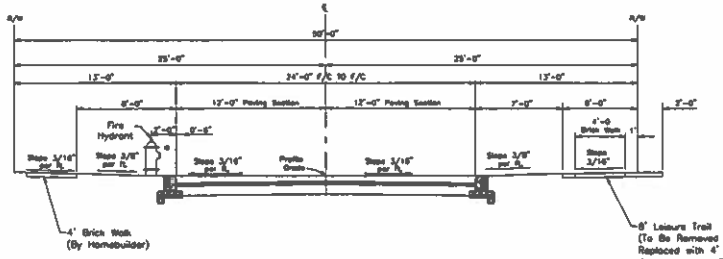
TYPICAL 22' F/C TO F/C SECTION (50' R/W) STANDARD CURB
HEAD OF POND DRIVE
(FIRST ±245' FROM LAMBTON PARK DRIVE)
SCALE: 1"=5'
* No Parking on Road.



TYPICAL 24' F/C TO F/C SECTION (50' R/W) STANDARD CURB
HEAD OF POND DRIVE & HEAD OF POND ROAD
SCALE: 1"=5'
* No Parking on Road at Hydrants.



TYPICAL 22' F/C TO F/C SECTION (50' R/W) STANDARD CURB
HEAD OF POND COURT
SCALE: 1"=5'
* No Parking on Road.



TYPICAL 24' F/C TO F/C SECTION (50' R/W) STANDARD CURB
BAUGHMAN GRANT
SCALE: 1"=5'
* No Parking on Road at Hydrants.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
PLAN SET DATE
September 16, 2024

REVISIONS		
MARK	DATE	DESCRIPTION

THE NEW ALBANY COMPANY

CITY OF TOWNSEND, COUNTY, STATE
PRELIMINARY PLAT
FOR
NEW ALBANY COUNTRY CLUB SECTION 39
BLENHEIM
STREET TYPICAL SECTIONS

DATE
September 16, 2024

SCALE
AS NOTED

JOB NO.
20201095

SHEET
6/6

APPLICANTS:

The New Albany Company
8000 Walton Parkway Suite 200
New Albany, OH 43054

PROPERTY OWNERS:

The New Albany Company
8000 Walton Parkway Suite 200
New Albany, OH 43054

ATTORNEY:

Aaron Underhill, Esq.
Underhill & Hodge LLC
8000 Walton Parkway Suite 120
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS:

New Albany Country Club Commun Association Inc
P.O. Box 689
New Albany, OH 43054

MLLK LLC
7380 Lambton Park Road
New Albany, OH 43054

Candace and Michael Siegenthaler
7402 Lambton Park Road
New Albany, OH 43054

Arthur Scherbel
3898 Baughman Grant
New Albany, OH 43054

Gregory Searcy
7368 Lambton Park Road
New Albany, OH 43054

Saha Rina, Tr.
7348 Lambton Park Road
New Albany, OH 43054

Darren and Tara Miller
7300 Lambton Park Road
New Albany, OH 43054

Stephen Berardino, Tr.
3842 Lambton Place
New Albany, OH 43054

Irving Dennis
3856 Lambton Place
New Albany, OH 43054

John Dallepezze, Tr.
7216 Lambton Place
New Albany, OH 43054

Dast LLC
3853 Lambton Place
New Albany, OH 43054

Matthew Golis, Tr.
7240 Lambton Place
New Albany, OH 43054

Matthew Gibson, Tr.
7181 Lambton Park Road
New Albany, OH 43054

Kevin and Elaine Oak
7153 Lambton Park Road
New Albany, OH 43054

Ashley Stoner
7153 Lambton Park Road
New Albany, OH 43054

Monica Morgan Whitehead
945 Walnut Street
New Albany, Ohio 43054

Gregory Betchkal
7476 Fenway Road
New Albany, OH 43054

Jennifer Gode
4220 Baughman Grant
New Albany, OH 43054

Ryan Surmay
7502 Goodrich Square
New Albany, OH 43054

Gloria Galloway, Tr.
4184 Baughman Grant
New Albany, OH 43054

Mark Rinkov
7543 N. Goodrich Sq.
New Albany, OH 43054

Jeffrey Oehler
4158 Baughman Grant
New Albany, OH 43054

Everett Gallagher
7568 S. Goodrich Sq.
New Albany, OH 43054

Kathy Worly, Tr.
4130 Baughman Grant
New Albany, OH 43054

Catherine Krawczeski
4120 Baughman Grant
New Albany, OH 43054

Tomothy Stehle
4060 Baughman Grant
New Albany, OH 43054

4090 Baughman Grant LLC
4090 Baughman Grant
New Albany, OH 43054

Jamie Brown
4040 Baughman Grant
New Albany, OH 43054

EAST NINE I-PUD

Information concerning specific Code requirements for submittal by The New Albany Company LLC

Per C.O. 1111.03(g), a statement as to how the proposed zoning amendment will impact adjacent and proximate properties.

Response: This proposal will provide for uses and development that are in accordance with existing and future planned conditions in the general vicinity of the property. The subject property is surrounded on all sides by the East Nine of The New Albany Country Club golf course. On the other sides of the golf course are high quality single-family homes that are part of the New Albany County Club Communities. This proposal will facilitate the development of high-value single-family homes that meet or exceed the values of existing homes in the area. This zoning will permit the property to the developed consistent with the existing development pattern.

Per C.O. 1111.03(i), any deed restrictions, easements, covenants and encumbrances to be imposed to control the use, development and maintenance of the area to be rezoned.

Response: The property is subject to the New Albany Master Association and the New Albany County Club Communities Association.

Per C.O. 1159.07(b)(2)(F) The schedule of site development, construction of structures and associated facilities. Such schedule shall include the proposed use or reuse of existing features such as topography, streets, easements and natural areas.

Response: Development of the site will occur on a schedule that is based on market conditions. Approval of this proposal will allow the property to move toward installation and construction of needed infrastructure.

Per C.O. 1159.07(b)(2)(J) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: Information in this regard is provided by separate documentation being provided by the project's civil engineer.

Per C.O. 1159.07(b)(2)(K) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers, in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers.

Response: Information in this regard is provided by separate documentation being provided by the project's civil engineer.

EAST NINE I-PUD

PARCELS INCLUDED IN REZONING, PRELIMINARY DEVELOPMENT PLAN, AND PRELIMINARY PLAT APPLICATIONS

Franklin County Auditor Parcel Numbers:

222-005185	222-005203	222-005183
222-005186	222-005204	222-005184
222-005187	222-005205	222-001668
222-005188	222-005206	222-005216
222-005189	222-005207	222-005218
222-005190	222-005208	222-004458 (limited portion)
222-005191	222-005209	
222-005192	222-005210	
222-005193	222-005211	
222-005194	222-005212	
222-005195	222-005213	
222-005196	222-005214	
222-005197	222-005215	
222-005198	222-005216	
222-005199	222-005217	
222-005200	222-005180	
222-005201	222-005181	
222-005202	222-005182	
222-005185		
222-005185		
222-005185		
222-005185		
222-005185		

Planning Commission Staff Report
November 18, 2024 Meeting

COURTYARDS AT HAINES CREEK SUBDIVISION
PHASE 1 FINAL PLAT

LOCATION:	Generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
APPLICANT:	Epcon Haines Creek, LLC
REQUEST:	Final Plat
ZONING:	Courtyards at Haines Creek I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FPL-85-2024

Review based on: Application materials received on October 29, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The final plat application is for the 1st phase of the Courtyards at Haines Creek subdivision. This phase includes 46 residential lots, 6 reserves (A, B, H, I, G, F1), and 7 new streets on 29.05 +/- acres

The Planning Commission reviewed the zoning change and preliminary development plan for the property on June 20, 2023 (ZC-07-2023) and the zoning change was adopted by city council on July 18, 2023 (O-84-2023). The Planning Commission reviewed and approved the final development plan and preliminary plat for the subdivision on March 4, 2024.

II. SITE DESCRIPTION & USE

The 63.5+/- acre subdivision is located in Franklin County. The site is generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW. The site is located immediately west of the Licking County line and immediately, north of Agricultural zoned and residentially used properties, and there are unincorporated residentially zoned and used properties to the west and north of the site.

III. PLAN REVIEW

The Planning Commission's review authority of the plat is found under C.O. Section 1187. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

Residential Lots

1. The final plat is consistent with the approved Courtyards at Haines Creek final development plan and preliminary plat. The plat shows 46 residential lots. The proposed lot layout and dimensions match what is shown on the final development plan and meet the requirements of the zoning text.
    - The plat appropriately shows the lot widths to be at least 52 feet, as required by zoning text section VI(D).
    - The plat appropriately shows the lot depths to be at least 115 feet, as required by zoning text section VI(E).
    - The plat appropriately shows the following front yard setbacks, as required by the zoning text section VI(F)(2):

        - A 15-foot setback for Lane Homes (lots 100 and 101).
        - A 20-foot setback for all other lots on the preliminary plat.
    - Zoning text section VI(F)(1) states that there shall be a minimum building and pavement setback of 100 feet from the Central College Road and Jug Street right-of-way. However, the text states that homes and other improvements located on lots 71 and 72 may encroach into this setback. This setback is shown on the plat.

Streets

1. The plat creates seven (7) new publicly dedicated streets totaling 6.34+/- acres. All of the new streets meet the right-of-way requirements in the zoning text:
    - Haines Creek Drive provides access to the subdivision from Central College Road, with 60 feet of right-of-way.
    - Cedarville Drive, provides access to the subdivision from Jug Street, with 50 feet of right-of-way.
    - Antioch Drive, is stubbed from this development to the west property line to provide for a future connection with the existing portion of McClellan Drive located in the Tidewater subdivision, with 50 feet of right-of-way.
    - Wooster Drive, with 50 feet of right-of-way.
    - Hiram Lane, a publicly dedicated alley, with 20 feet of right-of-way.
    - Findlay Drive, with 50 feet of right-of-way.
    - Lourdes Drive, with 50 feet of right-of-way.
2. The utility easements are shown on the plat.
3. Per the city's subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. The applicant proposes to utilize the names of private Ohio colleges as street names within the subdivision. Haines Creek Drive shares the same name as the subdivision.

Parkland, Open Space and Tree Preservation Areas

1. The plat contains six (6) reserve areas shown as Reserves "A", "B", "H", "I", "G", and "F1", on the plat with a total acreage of 14.16+/- acres.
    - According to the plat notes, all Reserves other than "H" shall be owned by the City of New Albany and maintained by the homeowner's association in perpetuity for open space and/or stormwater retention.
    - The plat states that Reserve "H" will be owned and maintained by the homeowner's association for a community amenity area.
    - The plat states that Reserve "I" shall be owned by the City of New Albany and maintained by the homeowner's association until a public road is constructed within the reserves and is dedicated to the city as public right-of-way. Specifically, the city will maintain just the street, which is everything between and including the concrete curbs. Everything else outside of the curbs must be maintained by the HOA in perpetuity.
2. As approved as part of the final development plan and preliminary plat, there is a 1-acre deficit in parkland for the subdivision. As part of those applications, the applicant completed and submitted an appraisal, as required in Chapter 1165.10(d). Based upon the appraisal, the developer requests approval of a fee in lieu of $50,000/acre, which is a total of $50,000 for this application ($50,000/acre multiplied by 1.00 = $50,000).
        - The Planning Commission approved the final development plan and preliminary plat applications with the following condition: "City council should consider obtaining their own appraisal for the applicant's fee-in-lieu payment, and that it should perhaps be of value no less than the city's last purchase of parkland".
        - <u>The fee-in-lieu request will be reviewed by city council before this final plat application is approved. This condition is carried over on this application (condition #1).</u>
3. Various tree preservation zones are shown on the preliminary plat and comply with the tree preservation zone requirements of zoning text section VI(G).

4. The plat requires the developer to provide Tree Preservation Zone signs on every other lot line. It states the design shall be subject to staff approval and shall be installed by the developer before infrastructure acceptance by the city.
5. C.O. 1187.04(d)(4) and (5) requires verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act and to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. As part of the preliminary plat approval, the applicant stated that a delineation report is currently under review with the U.S. Army Corps of Engineers; however, the permits have not yet been issued. Staff requests evidence of any permits received from the Ohio Environmental Protection Agency as a condition of approval (condition #2).

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #3).

1. We recommend that the applicant have the plat reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.
2. Sheet 2 of the plat refers to a May 2024 Flood Plain Study. If available, label the most current FIRM Panel Number on this sheet.

V. ACTION

Basis for Approval:

The final plat is consistent with the approved preliminary plat and final development plan and meets code requirements. Should the Planning Commission approve the application, the following motion would be appropriate:

Suggested Motion for FPL-85-2024:

Move to approve final plat application FPL-85-2024
with the following conditions:

1. City council should consider obtaining their own appraisal for the applicant's fee-in-lieu payment, and that it should perhaps be of value no less than the city's last purchase of parkland.
2. Evidence of any permits received from the Ohio Environmental Protection Agency shall be provided to the city staff.
3. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: ArcGIS

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.616-02
November 8, 2024

To: Christopher Christian
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: The Courtyards at Haines Creek Final Plat
Phase 1

We reviewed the referenced plat in accordance with Code Section 1187.06. Our review comments are as follows:

1. We recommend that the applicant have the plat reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.
2. Sheet 2 of the plat refers to a May 2024 Flood Plain Study. If available, label the most current FIRM Panel Number on this sheet.

MEF/JMH

cc: Josh Albright, Development Engineer
Steve Mayer, Planning Manager

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 8306 Central College Road

Parcel Numbers 222-005156, 222-005157, and 222-005159

Acres 29.1 +/- # of lots created 46

Choose Application Type		Circle all Details that Apply			
Appeal					
Certificate of Appropriateness					
Conditional Use					
Development Plan	Preliminary	Final	Comprehensive	Amendment	
X Plat	Preliminary	(Final)			
Lot Changes	Combination	Split	Adjustment		
Minor Commercial Subdivision					
Vacation	Easement		Street		
Variance					
Extension Request					
Zoning	Amendment (rezoning)		Text Modification		

Description of Request: Review and approval of final plat for the Courtyards at Haines Creek Section 1 residential subdivision, containing 46 lots and related new streets and other improvements.

Contacts

Property Owner's Name: Epcon Haines Creek, LLC
Address: Attn: Craig Cherry, 500 Stonehenge Parkway
City, State, Zip: Dublin, OH 43017
Phone number: (614) 761-1010 Fax: _____
Email: Ccherry@epconcommunities.com

Applicant's Name: Same as owner.
Address: _____
City, State, Zip: _____
Phone number: _____ Fax: _____
Email: _____

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner _____ Date: 10/24/24
Signature of Applicant Craig Cherry, Regional President Date: _____

THE COURTYARDS AT HAINES CREEK
PHASE 1

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Section 10, Township 2, Range 16, United States Military Lands, containing 29.055 acres of land, more or less, said 29.055 acres being part of those tracts of land conveyed to **EPCON HAINES CREEK, LLC** by deed of record in Instrument Number 202407020065759, Recorder's Office, Franklin County, Ohio.

The undersigned, **EPCON HAINES CREEK, LLC,** an Ohio limited liability company, by **CRAIG CHERRY**, Regional President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COURTYARDS AT HAINES CREEK PHASE 1"**, a subdivision containing Lots numbered 1 to 30, 68 to 74, and 100 to 108, all inclusive, and areas designated as Reserve "A", Reserve "B", Reserve "F1", Reserve "G", Reserve "H", and Reserve "I", does hereby accept this plat of same and dedicates to public use, as such, all of Antioch Drive, Central College Road, Cedarville Drive, Findlay Drive, Haines Creek Drive, Hiram Lane, Jug Street Road, Lourdes Drive, and Wooster Drive shown hereon and heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement", "Drainage Easement", "Trail Easement" or "Sidewalk Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. Improvements related to the passive park may be located within the areas containing a Drainage Easement. No building shall be constructed in any area over which easements are hereby reserved. Within those areas designated "Trail Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of an asphalt path for use by the public. Within those areas designated "Sidewalk Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of a sidewalk for use by the public. Easement areas shown hereon outside of the platted areas are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **CRAIG CHERRY**, Regional President of **EPCON HAINES CREEK, LLC,** has hereunto set his hand this ___ day of _____, 20__.

Signed and Acknowledged In the presence of:

EPCON HAINES CREEK, LLC

_____

By _____
CRAIG CHERRY,
Regional President

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **CRAIG CHERRY**, Regional President of **EPCON HAINES CREEK, LLC,** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **EPCON HAINES CREEK, LLC,** for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

Approved this _____ Day of _____ 20___
_____
Mayor, New Albany, Ohio

Approved this _____ Day of _____ 20___
_____
City Engineer, New Albany, Ohio

Approved this _____ Day of _____ 20___
_____
Council Representative to Planning Commission, New Albany, Ohio

Approved this _____ Day of _____ 20___
_____
Chairperson, Planning Commission, New Albany, Ohio

Approved this _____ Day of _____ 20___
_____
Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. _____, passed _____, 20___, wherein all of Antioch Drive, Central College Road, Cedarville Drive, Findlay Drive, Haines Creek Drive, Hiram Lane, Jug Street Road, Lourdes Drive, and Wooster Drive shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio.

Transferred this ____ day of _____, 20___.
_____
Auditor, Franklin County, Ohio

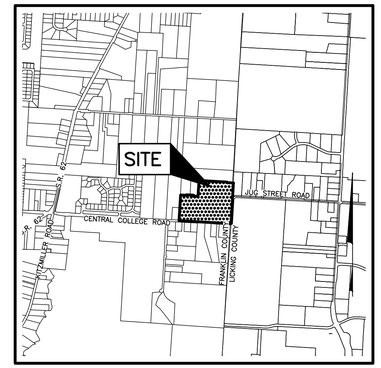
_____
Deputy Auditor, Franklin County, Ohio

Filed for record this ___day of _____, 20___ at _____M. Fee $_____
_____
Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of _____, 20___.
_____
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Central College Road, having a bearing of South 86°52'49" East and monumented as shown hereon, is designated as the "basis of bearings" for this plat.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
◎ = Permanent Marker (See Survey Data)
■ = FCGS Monument found

By _____ _____
Professional Surveyor No. 7865 Date

J:\20230578\DWG\SHEETS\PLAT\20230578-VS-PLAT-PHS1.DWG, plotted by KIRK, MATTHEW on 10/22/2024 10:20:55 AM last saved by MKIRK on 10/22/2024 9:16:32 AM
Xref: 2024-10-18 HAINES EASEMENT UNCHECK.DWG & 20230578-VS-PLAT-TEMP-CONS-01.DWG

THE COURTYARDS AT HAINES CREEK
PHASE 1

Ⓐ CITY OF NEW ALBANY
I.N. 202206240094052

Ⓑ RICHARD EUGENE ULERY
DEBBIE LEE ULERY
O.R. 27800C14

Ⓒ MICHAEL HAIRSTON
I.N. 202208290123903

Ⓓ PEGGY J. CORWIN
I.N. 202212160168909
I.N. 200402110030535

Ⓔ JEAN SMYTHE TRUSTEE
I.N. 200909160134683

Ⓕ PAUL K. STAMM
CHRISTINE BURIK STAMM
I.N. 200309120291097

** = RESERVE "F1"
0.075 Ac.
See Note "H"
(Easement all of Reserve "F1")

*** = RESERVE "G"
0.150 Ac.
See Note "H"
(Easement all of Reserve "G")

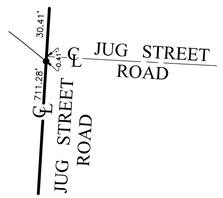
**** = RESERVE "I"
0.138 Ac.

Legend
B.L. = Building Line
D.E. = Drainage Easement
T.E. = Trail Easement
S.E. = Sidewalk Easement
Esmt = Easement
S.P.Z. = Stream Preservation Zone See Note "L"
T.P.Z. = Tree Preservation Zone See Note "M"

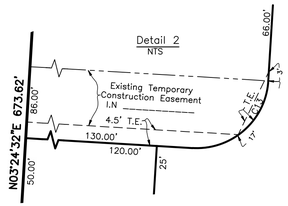
** The information used to show the location of each of these 100-year flood limit lines was taken from a flood study prepared by EMH&T dated May, 2024.

Line Type Legend
- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Subdivision Boundary Line
- Lot Line
- R/W Line
- R/W Centerline
- Easement Line
- Stream Preservation Zone Line
- Tree Preservation Zone Line

Detail 1
NTS



Detail 2
NTS



SCALE: 1" = 60'

60 50 40 30 20 10 0 30 60 120
GRAPHIC SCALE (in feet)

EPCON HAINES CREEK, LLC
I.N. 202407020065759

EPCON HAINES CREEK, LLC
I.N. 202407020065759

TAMARA L. DAVIES
RONALD H. DAVIES
I.N. 201211020166943

TAMARA DAVIES
RONALD DAVIES
I.N. 202111030199919

ALBERT J. MCROBERTS III
DIANA J. MCROBERTS
O.R. 243, P. 106

8400 CENTRAL COLLEGE ROAD PROPCO LLC
I.N. 202012290035810

HAINES CREEK DRIVE
WOOSTER DRIVE
HIRAM LANE
ANTIOCH DRIVE
FINDLAY DRIVE
CEDARVILLE DRIVE
LOURDES DRIVE
JUG STREET ROAD
CENTRAL COLLEGE ROAD

RESERVE "A"
11.423 Ac.
See Note "H"

RESERVE "B"
1.259 Ac.
See Note "H"

RESERVE "H"
1.478 Ac.
See Note "I"

Franklin County
Licking County

P.B. 53, P. 26

F.C.G.S. 6147

1" square bolt found

J:\20230578\DWG\SHEETS\PLAT\20230578-VS-PLAT-PHS1.DWG plotted by MASTON, JOHN on 10/15/2024 11:56:29 AM last saved by JMASTON on 10/15/2024 11:54:42 AM
Xref: 2024-10-08 HAINES EASEMENT UNDERWRITING & 20230578-VS-ESMT-TEMP-CONS-01.DWG

THE COURTYARDS AT HAINES CREEK PHASE 1

NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "The Courtyards at Haines Creek Phase 1" does not imply any approval of the site as it may pertain to wetlands.

NOTE "B": At the time of platting, the land being platted as The Courtyards at Haines Creek Phase 1 is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain), as said Zone is designated and delineated on the FEMA Flood insurance rate map for Franklin County Unincorporated areas map number 39049C0207K, with effective date of June 17, 2008.

NOTE "C" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "D" - ACREAGE BREAKDOWN:

Total acreage:	29.055 Ac.
Acreage in rights-of-way:	6.342 Ac.
Acreage in Reserves	14.160 Ac.
Acreage in remaining lots:	8.553 Ac.

NOTE "E" - ACREAGE BREAKDOWN: The Courtyards at Haines Creek Phase 1 is out of the following Franklin County Parcel Numbers:

222-005156	1.501 Ac.
222-005157	1.500 Ac.
222-005158	3.919 Ac.
222-005159	22.135 Ac.

NOTE "F" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in The Courtyards at Haines Creek Phase 1. Nothing herein, however, shall prohibit the construction and use of a driveway alongside or to the rear of a residential structure if otherwise permitted by the City of New Albany.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Courtyards at Haines Creek Phase 1 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

NOTE "H" - RESERVES "A", "B", "F1" AND "G": Reserves "A", "B", "F1" and "G", as designated and delineated hereon, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple titles to the lots in the The Courtyards at Haines Creek subdivision in perpetuity for the purpose of open space and/or stormwater retention.

NOTE "I" - RESERVE "H" : Reserve "H", as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee simple titles to the lots in the The Courtyards at Haines Creek subdivision for the purpose of a Community Amenity Area.

NOTE "J" - RESERVE "I" : Reserve "I", as designated and delineated hereon, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple titles to the lots in the The Courtyards at Haines Creek subdivision in perpetuity until a public road is constructed and Reserve "I" is dedicated to the City as public right-of-way. The City of New Albany shall maintain the future street (areas within the curb limits and including curbs). Areas outside the curb limits shall be maintained by an association comprised of the owners of the fee simple titles to the lots in the The Courtyards at Haines Creek subdivision.

NOTE "K": No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "L" - STREAM PRESERVATION ZONE: The Stream Preservation Zone shall forever be restricted from development with buildings and structures and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

Additional restrictions include:

1. No dumping or burning of refuse.

2. No hunting or trapping.

3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.

4. Nothing shall be permitted to occur within the Stream Preservation Zone which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety. Notwithstanding the foregoing, the following improvements and activities shall be permitted within the parks and easements may be reserved in favor of the developer and future property owners for the following:

(a) Storm water detention or retention ponds and related underground storm water management infrastructure;

(b) Underground utility lines and underground storm water management infrastructure;

(c) One or more paved leisure trails in locations which are approved as part of a final development plan for this subarea;

(d) Planting and maintenance of trees, bushes, and other landscaping.

(e) Benches, pedestrian trash receptacles, and wayfinding signage; and

(f) Preservation and maintenance of wooded and forested areas in keeping with good forestry management practices, including, but not necessarily limited to, the removal of dead, diseased, or decaying trees and the treatment or removal of noxious or invasive plant species.

Any and all alterations to the Stream Preservation Zone require the approval of the City of New Albany Community Development Department.

NOTE "M" - TREE PRESERVATION ZONES: "Tree Preservation Zones" shall apply (1) for a minimum distance of 100 feet from the right-of-way of Central College Road and Jug Street in Reserve A, in areas to the south of the intersection of Jug Street and a new public street connecting it to the new subdivision, (2) within the northwest corner of the zoning district, (3) covering the tree line along the north property line of Reserve C, all as generally shown on the Final Development Plan, (Reserves A, C1 and C2 as shown on Final Development Plan) and (4) within a distance of 30 feet from the rear property line on any lots where a minimum rear yard setback of 50 feet is required, provided as to this subsection G trees shall be preserved in accordance with the recommendations of a certified arborist and subject to staff approval. Within these areas, only the construction of roads, paths/trails/sidewalks, underground utility lines and underground storm water management infrastructure shall be permitted. Healthy mature trees and understory vegetation shall be preserved within these areas unless they conflict with the installation of permitted utility or storm water infrastructure. Trees and understory vegetation within the tree preservation zone plan may be trimmed, cut, or removed if they are diseased, dead, or of a noxious species or if they present a threat of danger to persons or property. When trees are removed from the Tree Preservation Zones due to utility installation, reasonable efforts shall be made to plant new trees in areas within or outside of (but near to) the Tree Preservation Zone in order to provide buffering from adjacent parcels outside of this zoning district. The number, species, and locations of new trees shall be reviewed by the Planning Commission as part of a final development plan and confirmed with a landscape plan provided with final engineering. Trees shall not be required to be planted in easements and/or locations that may harm the health of preserved trees or unreasonably encroach into the rear yards of lots. The developer shall provide Tree Preservation Zone signs on every other lot line. Design shall be subject to staff approval. Signs shall be installed by the developer prior to infrastructure acceptance by the city.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	15°33'45"	350.00'	95.07'	S 10°54'03" W	94.77'
C2	10°22'26"	350.00'	63.37'	S 23°52'09" W	63.28'
C3	25°56'11"	350.00'	158.44'	S 16°05'16" W	157.09'
C4	14°21'23"	500.00'	125.28'	N 78°29'46" W	124.96'
C5	44°57'03"	100.00'	78.45'	N 70°56'01" E	76.46'
C6	81°26'46"	100.00'	142.15'	S 89°10'52" W	130.48'
C7	25°38'49"	350.00'	156.67'	N 16°13'57" E	155.36'
C8	44°57'03"	100.00'	78.45'	S 19°03'59" E	76.46'
C9	90°00'00"	20.00'	31.42'	N 48°07'11" E	28.28'
C10	9°06'11"	380.00'	60.37'	S 07°40'16" W	60.31'
C11	83°32'26"	20.00'	29.16'	N 29°32'51" W	26.65'
C12	15°16'23"	475.00'	126.62'	N 78°57'16" W	126.24'
C13	90°00'00"	20.00'	31.42'	N 48°24'32" E	28.28'
C14	90°00'00"	20.00'	31.42'	N 48°24'32" E	28.28'
C15	90°00'00"	30.00'	47.12'	N 48°24'32" E	42.43'
C16	86°23'23"	20.02'	30.19'	S 37°47'11" E	27.41'
C17	9°41'33"	525.00'	88.81'	N 76°09'51" W	88.71'
C18	83°32'26"	20.00'	29.16'	N 66°54'43" E	26.65'
C19	3°54'52"	380.00'	25.96'	S 27°05'56" W	25.96'
C20	25°38'49"	320.00'	143.24'	N 16°13'57" E	142.05'
C21	90°00'00"	20.00'	31.42'	S 41°35'28" E	28.28'
C22	90°00'00"	20.00'	31.42'	N 48°24'32" E	28.28'
C23	44°57'03"	75.00'	58.84'	S 19°03'59" E	57.34'
C24	71°55'12"	20.00'	25.10'	S 77°30'07" E	23.49'
C25	54°27'04"	125.00'	118.79'	N 86°14'11" W	114.37'
C26	90°00'00"	20.00'	31.42'	N 03°27'29" E	28.28'
C27	44°57'03"	75.00'	58.84'	N 70°56'01" E	57.34'
C28	90°00'00"	20.00'	31.42'	S 41°35'28" E	28.28'
C29	90°00'00"	20.00'	31.42'	S 48°24'32" W	28.28'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C30	90°00'00"	20.00'	31.42'	N 41°35'28" W	28.28'
C31	11°24'04"	125.00'	24.87'	S 02°17'29" E	24.83'
C32	33°33'00"	125.00'	73.19'	S 24°46'01" E	72.15'
C33	90°34'47"	20.00'	31.62'	N 41°51'50" W	28.43'
C34	44°23'17"	75.00'	58.10'	S 70°39'08" W	56.66'
C35	44°57'03"	125.00'	98.07'	N 70°56'01" E	95.57'
C36	90°00'00"	20.00'	31.42'	S 48°24'32" W	28.28'
C37	90°00'00"	20.00'	31.42'	S 41°52'49" E	28.28'
C38	25°56'11"	320.00'	144.86'	S 16°05'16" W	143.62'
C39	25°38'49"	380.00'	170.10'	N 16°13'57" E	168.68'
C40	90°00'00"	20.00'	31.42'	S 48°24'32" W	28.28'
C41	90°00'00"	20.00'	31.42'	S 41°35'28" E	28.28'
C43	32°55'57"	50.00'	28.74'	N 66°06'08" E	28.35'
C46	0°55'00"	500.00'	8.00'	N 86°07'58" W	8.00'
C47	14°19'14"	104.00'	25.99'	S 57°45'02" E	25.93'
C48	50°28'08"	150.00'	132.13'	S 75°49'29" E	127.90'
C49	42°24'25"	150.00'	111.02'	S 79°51'20" E	108.50'
C50	32°06'36"	92.00'	51.56'	S 74°42'25" E	50.89'
C51	18°52'40"	242.00'	79.73'	N 79°47'57" E	79.37'
C52	52°17'31"	49.96'	45.60'	N 44°13'34" E	44.03'
C53	21°47'08"	122.47'	46.57'	N 10°58'11" E	46.29'
C54	23°22'25"	116.00'	47.32'	N 12°28'52" E	46.99'
C55	91°35'10"	25.00'	39.96'	N 75°26'46" E	35.84'
C56	80°09'28"	57.00'	79.74'	N 81°09'37" E	73.40'
C57	41°29'15"	50.00'	36.20'	N 61°49'30" E	35.42'

LINE TABLE

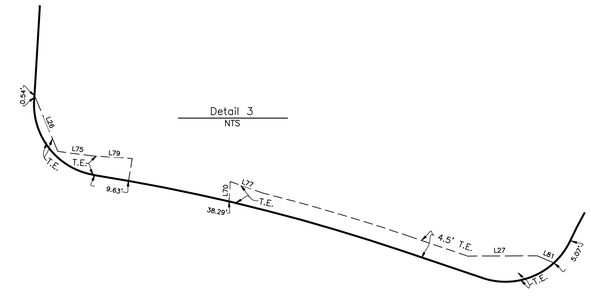
LINE	BEARING	DISTANCE
L1	N86°35'28"W	55.00'
L2	S86°50'43"E	1.60'
L3	S41°32'31"E	46.88'
L4	N48°27'29"E	51.87'
L5	N71°19'04"W	71.03'
L6	S86°35'27"E	89.80'
L7	S49°48'31"E	54.62'
L8	S06°30'22"W	46.97'
L9	S03°24'32"W	46.10'
L10	S78°49'40"E	21.78'
L11	N29°03'22"E	282.93'
L12	N87°31'54"E	71.37'
L13	N48°10'50"E	55.64'
L14	S48°10'50"W	2.76'
L15	S70°08'53"W	126.19'
L16	S10°50'49"W	148.26'
L17	S70°01'24"W	180.10'
L18	S30°00'45"E	20.28'
L19	S15°34'35"E	34.81'
L20	S10°37'35"E	27.97'
L21	S79°22'25"W	20.00'
L22	N10°37'35"W	27.11'
L23	N78°06'25"W	189.71'
L24	S86°39'20"W	109.17'
L25	N42°27'47"W	71.76'
L26	S22°34'19"E	16.89'
L27	N89°42'32"E	58.14'
L28	S46°09'45"W	39.05'
L29	S55°59'02"W	41.26'
L30	S25°56'12"W	35.36'

LINE TABLE

LINE	BEARING	DISTANCE
L31	S66°39'05"W	22.34'
L32	S26°28'15"W	42.74'
L33	S54°32'37"W	38.86'
L34	S45°20'17"W	39.52'
L35	S33°46'54"W	12.90'
L36	S68°03'06"W	24.11'
L37	S41°37'06"W	44.68'
L38	S22°02'34"W	21.28'
L39	S78°14'09"W	49.26'
L40	S07°44'39"E	35.70'
L41	S49°31'44"W	29.37'
L42	S45°18'42"W	53.61'
L43	S33°36'00"W	24.89'
L44	S54°04'58"W	53.74'
L45	S29°10'18"W	43.25'
L46	S45°04'50"W	22.47'
L47	S64°44'33"W	32.59'
L48	S42°17'17"W	26.70'
L49	S56°50'25"W	43.76'
L50	S50°55'48"W	12.96'
L51	S66°39'05"W	16.85'
L52	S26°28'15"W	27.87'
L53	S50°58'51"W	79.95'
L54	S33°46'54"W	33.61'
L55	S68°03'06"W	31.45'
L56	S24°59'28"W	25.68'
L57	S34°31'26"W	42.68'
L58	S78°14'09"W	5.66'
L59	S09°59'29"W	35.42'
L60	S78°14'49"W	44.72'

LINE TABLE

LINE	BEARING	DISTANCE
L61	S40°56'21"W	75.41'
L62	S52°42'04"W	49.86'
L63	S26°09'34"W	15.90'
L64	S38°18'52"W	38.05'
L65	S48°26'01"W	44.91'
L66	S03°45'16"E	154.40'
L67	S15°34'35"E	31.41'
L68	S30°00'45"E	22.41'
L69	S03°45'16"E	160.44'
L70	S03°25'21"W	5.55'
L71	S02°28'06"E	56.52'
L72	N06°08'42"E	57.44'
L73	S71°53'08"E	71.49'
L74	S20°30'59"E	9.67'
L75	N82°33'50"W	9.59'
L76	S03°02'18"W	9.06'
L77	N70°43'54"W	9.80'
L78	S26°45'21"W	9.67'
L79	N86°22'51"W	11.30'
L80	S03°07'11"W	7.21'
L81	S66°45'10"E	15.35'
L82	N86°14'46"W	27.14'
L83	S20°35'05"E	12.51'
L84	N69°24'55"E	20.00'
L85	S65°16'02"E	10.18'
L86	N41°04'52"E	66.96'
L87	N70°21'37"E	122.69'
L88	N25°07'52"E	30.05'
L89	N89°14'17"E	61.93'
L90	S20°35'05"E	5.00'



Detail 3
NTS

J:\20230578\DWG\SHEETS\PLAT\20230578-VS-PLAT-PHS1.DWG plotted by: KIRK, MATTHEW on 10/22/2024 10:26:22 AM last saved by: MKIRK on 10/22/2024 9:16:32 AM
XREF: 2024-10-08 HAINES EASEMENT UNDERWORLD & 20230578-VS-ESMT-TEMP-CONS-01.DWG

Planning Commission Staff Report
November 18, 2024 Meeting

8 HAWKSMOOR
FINAL PLAT MODIFICATION

LOCATION:	8 Hawksmoor (PID: 222-004645-00).
APPLICANT:	Trevor Arnold
REQUEST:	Final Plat Modification
ZONING:	Hawksmoor I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FPM-81-2024

Review based on: Application materials received on October 29, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The final plat application is for 8 Hawksmoor Drive and includes the following modifications:

- Remove an existing .094-acre tree preservation zone/no build zone/drainage easement,
- Create a new .10-acre tree preservation zone/no build zone/drainage easement, and
- Create a new .050-acre storm easement on the property.

II. SITE DESCRIPTION & USE

The property is located in the Hawksmoor subdivision which is accessed off of State Route 605 to the east. The property is 3.29 acres in size and currently contains a single-family home, a detached structure, and a swimming pool. The property is surrounded by residentially zoned and used properties.

III. PLAN REVIEW

The Planning Commission's review authority of the plat is found under C.O. Section 1187. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

- The final plat application includes the following modifications:
    - Remove an existing .094-acre tree preservation zone/no build zone/drainage easement,
    - Create a new .10-acre tree preservation zone/no build zone/drainage easement, and
    - Create a new .050-acre storm easement on the property.
- The existing, .094-acre tree preservation/no build zone/ drainage easement is located near the home on the property. Some of the submittal material suggests that this zone is being removed to allow a new home addition to be built in this area which would not be permitted is plat modification application is not approved.
- The applicant proposes to create a new .10-acre tree preservation zone/no build zone/drainage easement along the southern property line, approximately 50 feet south of the existing zone.
    - The applicant submitted a tree survey as part of the application. It appears there are existing trees in the new preservation zone however, it is unclear as the survey does not indicate where the existing trees are located in relation to the new tree preservation zone. Staff recommends that the Planning Commission confirm the location of the existing trees in relation to these new zones with the applicant.
    - The plat states that no improvements of any kind are allowed in this new preservation/no build/drainage easement area. This language is identical to the

existing plat however it is more restrictive as it does not allow the installation of utilities in this zone.
    - Note D on the plat states that preservation zone markers are to be installed along the edge of the new preservation zone however, the note refers to lots that are not subject to this plat modification. Staff recommends a condition of approval that the plat is modified to reflect the accurate location of where the markers are to be placed (condition #1).
- The applicant proposes to create a new, .050 storm easement on the property generally located between the existing and new preservation/no build/drainage easement areas.
- The plat title refers to lots 8-11 however, this plat modification only applies to lot 8. Staff recommends a condition of approval that the plat be modified to refer only to lot 8 (condition #2).

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #3).

1. We recommend that the applicant provide written letters from private utility companies (e.g., gas, electric, telecommunications, etc.) identifying what utilities, if any, have been installed in the areas where preservation zones are to be relocated.
2. We recommend that storm easement B be retitled as Drainage Easement B. Only storm sewer is to be installed in this easement with no above grade structures permitted.
3. Work with staff to determine if any existing trees in the area where the tree preservation zone is to be vacated should be relocated.
4. Have a Professional Surveyor sign/stamp sheet 1.
5. Refer to Note D on sheet 2. Obtain markers from staff and place signage around the new tree preservation zone that is being established.
6. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.

V. ACTION

Basis for Approval:

Should the Planning Commission approve the application, the following motion would be appropriate:

Suggested Motion for FPM-81-2024:

Move to approve final plat modification application FPM-81-2024
with the following conditions:

1. The plat document must be modified to accurately identify where the preservation zone makers are to be located.
2. The plat document must be modified so that it refers only to lot 8.
3. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: NearMap

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.712
November 4, 2024

To: Sierra Cratic-Smith
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re- Subdivision Hawksmoor Lot 19

We reviewed the referenced plat in accordance with Code Section 1187.06. Our review comments are as follows:

1. We recommend that the applicant provide written letters from private utility companies (e.g., gas, electric, telecommunications, etc.) identifying what utilities, if any, have been installed in the areas where preservation zones are to be relocated.
2. We recommend that storm easement B be retitled as Drainage Easement B. Only storm sewer is to be installed in this easement with no above grade structures permitted.
3. Work with staff to determine if any existing trees in the area where the tree preservation zone is to be vacated should be relocated.
4. Have a Professional Surveyor sign/stamp sheet 1.
5. Refer to Note D on sheet 2. Obtain markers from staff and place signage around the new tree preservation zone that is being established.
6. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.

MEF/JMH

cc: Josh Albright, Development Engineer

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 8 Hawksmoor Drive

Parcel Numbers 222-004645-00

Acres 3.29 # of lots created 0

Choose Application Type	Circle all Details that Apply			
☐ Appeal				
☐ Certificate of Appropriateness				
☐ Conditional Use				
☐ Development Plan	Preliminary	Final	Comprehensive	Amendment
☒ Plat	Preliminary	(Final)		
☐ Lot Changes	Combination	Split	Adjustment	
☐ Minor Commercial Subdivision				
☒ Vacation	(Easement)		Street	
☐ Variance				
☐ Extension Request				
☐ Zoning	Amendment (rezoning)		Text Modification	

Description of Request: This application is a Re-Plat of Lot 19 of Hawksmoor subdivision
The intent of this Re-Plat is to vacate existing tree preservation and drainage easement that was set along the the old Lot 8 lot line, Lot 8 was Re-Platted in 2013 that moved the southerly lot line leaving the tree preservation area per original plat. This Re-Plat will set a new tree preservation and drainage easement.

Contacts

Property Owner's Name: L Shaq LTD
Address: PO Box 563
City, State, Zip: New Albany OH 43054
Phone number: _____ Fax: _____
Email: _____

Applicant's Name: Trevor Arnold
Address: 230 West St, Suite 200
City, State, Zip: Columbus OH 43215
Phone number: 614-314-0118 Fax: _____
Email: tarnold@lifestylecommunities.com

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner _____ Date: _____
Signature of Applicant _____ Date: 10/16/24

Z:\24-0011-1098\DWG\PRODUCTION DRAWINGS\EXHIBIT\Site Plan Stm Option 2.dwg 11X17 Oct 28, 2024 - 2:32:58pm cechelberry

LOT 7

LOT 19
(LOT 8)

EX.P/L

EX.50' TREE PRESERVATION NO BUILD ZONE/DRAINAGE EASEMENT PB 106, PG 10.

EX.50' TREE PRESERVATION NO BUILD ZONE/DRAINAGE EASEMENT PB 106, PG 10.

EX.25' EASEMENT PB 106, PG 10.

EX.15' EASEMENT PB 106, PG 10.

EX.40' ACK LINE

PROP. BUILDING ADDITION

Existing Tree Preservation/No Build Zone/Drainage Easement Area (SF) To Be Vacated

EX.20' DRAINAGE EASEMENT PB 106, PG 10.

EX.18"ST @ 5.37%

EX.15"ST

PR.MH

PR.18"ST

4,095 SF

PR.20'DR.ESMT.

4,356 SF

EX.40' TREE PRESERVATION/NO BUILD ZONE/DRAINAGE EASEMENT PB 106, PG 10.

100 YEAR FLOOD

PROP.TREE PRESERVATION/NO BUILD ZONE/DRAINAGE EASEMENT

PER "RE-SUBDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION" BY CEC RECORDED JAN. 7, 2014.

Proposed Tree Preservation /No Build Zone/Drainage Easement Area (SF)

EX.8"SAN

EX.8"W.M.

EX.15"ST

EX.F.H.

HAWKSMOOR DRIVE

LEGEND

FIELD SURVEYED TREE LOCATIONS BY G2 PLANNING 3/31/2023

- Easement/setback line
- Wetland Limits
- 100-yr Flood Limits
- Re-Located Storm
- Proposed Stm Esmt.

GRAPHIC SCALE

0 25 50 100

1 inch = 50 feet

LOT 8 SITE PLAN

SCALE: 1" = 50'

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
SITE PLAN
FOR
HAWKSMOOR LOT 8

PLAN PREPARED BY:
ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS
781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

SCALE: 1" = 50'
DATE: OCTOBER 28, 2024

SHEET 1 / 1

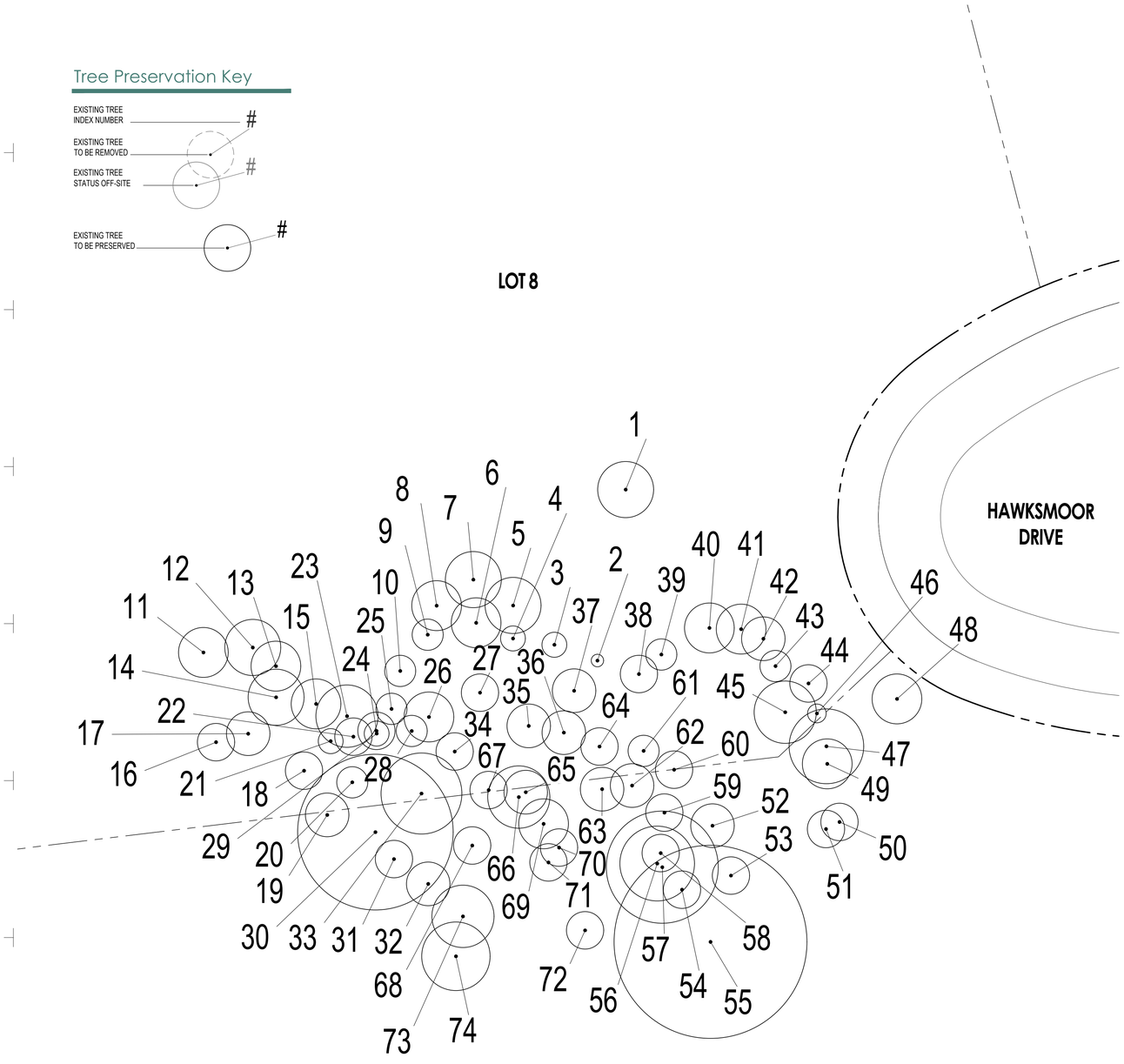
Tree Preservation Key

EXISTING TREE INDEX NUMBER — #

EXISTING TREE TO BE REMOVED — #

EXISTING TREE STATUS OFF-SITE — #

EXISTING TREE TO BE PRESERVED — #



TREE#	DIAMETER	SPECIES	CONDITION	STATUS
1	9	OAK	GOOD	T.B.D.
2	2	BUCKEYE	GOOD	T.B.D.
3	4	REDBUD	GOOD	T.B.D.
4	4	REDBUD	GOOD	T.B.D.
5	9	TREE	GOOD	T.B.D.
6	8	OAK	GOOD	T.B.D.
7	9	TREE	GOOD	T.B.D.
8	8	TREE	FAIR	T.B.D.
9	5	MAPLE	GOOD	T.B.D.
10	5	MAPLE	GOOD	T.B.D.
11	8	OAK	GOOD	T.B.D.
12	9	HAWTHORN	GOOD	T.B.D.
13	8	HAWTHORN	GOOD	T.B.D.
14	9	HAWTHORN	GOOD	T.B.D.
15	8	HAWTHORN	GOOD	T.B.D.
16	6	MAPLE	GOOD	T.B.D.
17	7	MAPLE	GOOD	T.B.D.
18	6	MAPLE	GOOD	T.B.D.
19	7	MAPLE	GOOD	T.B.D.
20	5	MAPLE	POOR	T.B.D.
21	4	TREE	GOOD	T.B.D.
22	6	MAPLE	GOOD	T.B.D.
23	10	HAWTHORN	GOOD	T.B.D.
24	6	OAK	GOOD	T.B.D.
25	5	MAPLE	FAIR	T.B.D.
26	8	OAK	GOOD	T.B.D.
27	6	OAK	GOOD	T.B.D.
28	5	ELM	GOOD	T.B.D.
29	4	BEECH	GOOD	T.B.D.
30	25	WALNUT	GOOD	T.B.D.
31	6	HACKBERRY	GOOD	T.B.D.
32	7	ASH	POOR	T.B.D.
33	13	ELM	GOOD	T.B.D.
34	6	OAK	GOOD	T.B.D.
35	7	MAPLE	GOOD	T.B.D.
36	7	OAK	GOOD	T.B.D.
37	7	OAK	GOOD	T.B.D.
38	6	OAK	GOOD	T.B.D.
39	5	OAK	GOOD	T.B.D.
40	8	HAWTHORN	GOOD	T.B.D.
41	8	HAWTHORN	GOOD	T.B.D.
42	7	HAWTHORN	GOOD	T.B.D.
43	5	OAK	GOOD	T.B.D.
44	6	MAPLE	GOOD	T.B.D.
45	10	MAPLE	GOOD	T.B.D.
46	3	MAPLE	GOOD	T.B.D.
47	12	MAPLE	GOOD	T.B.D.
48	8	OAK	GOOD	T.B.D.
49	8	ELM	GOOD	T.B.D.
50	6	HICKORY	GOOD	T.B.D.
51	6	HICKORY	GOOD	T.B.D.
52	7	MAPLE	FAIR	T.B.D.
53	6	BEECH	GOOD	T.B.D.
54	6	OAK	GOOD	T.B.D.
55	31	WALNUT	FAIR	T.B.D.
56	12	MAPLE	GOOD	T.B.D.
57	18	OAK	FAIR	T.B.D.
58	6	OAK	GOOD	T.B.D.
59	6	MAPLE	GOOD	T.B.D.
60	6	MAPLE	GOOD	T.B.D.
61	5	OAK	FAIR	T.B.D.
62	7	OAK	GOOD	T.B.D.
63	7	OAK	GOOD	T.B.D.
64	6	OAK	GOOD	T.B.D.
65	7	OAK	FAIR	T.B.D.
66	10	HICKORY	FAIR	T.B.D.
67	6	OAK	FAIR	T.B.D.
68	6	ASH	FAIR	T.B.D.
69	8	OAK	FAIR	T.B.D.
70	6	OAK	FAIR	T.B.D.
71	6	OAK	FAIR	T.B.D.
72	6	OAK	GOOD	T.B.D.
73	10	ELM	FAIR	T.B.D.
74	11	ELM	FAIR	T.B.D.

0' 16' 48'

Z:\G2 Projects\Advanced Civil Design\23030_Hawksmoor Lot 8\CAD\23030_Hawksmoor Lot 8 L.dwg Mar 31, 2023 - 3:42pm PhilMorehead

PROJECT FOR:

HAWKSMOOR LOT 8

G2 PLANNING + DESIGN
720 E. BROAD STREET STE. 200
COLUMBUS, OH 43215

SEAL

PRELIMINARY
Not For Construction

DESIGN TEAM

Civil Engineer

Advanced Civil Design
781 Science Boulevard
Gahanna, Ohio 43230
p 614.428.7750

Landscape Architect

G2 Planning and Design
720 E. Broad St. Suite 200
Columbus, Ohio 43215
p 614.583.9230

HAWKSMOOR LOT 8
Hawksmoor Drive
New Albany, Ohio 43054
Prepared for:
ADVANCED CIVIL DESIGN
781 Science Boulevard
Gahanna, OH 43230

REVISIONS

	date	issued
1	XX.XX.XXXX	NOTES

drawn by: PEM
issue date 03.31.2023
checked by: PEM
PROJECT NO. 22030

EXISTING TREE SURVEY

L0.00

RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION

Situated in State of Ohio, County of Franklin, City of New Albany, located in Quarter Townships 3 and 4, Township 2, Range 16, United States Military Lands, containing 1.141 acres of land, more or less, said 3.292 acres being a resubdivision of all of Lot 19 as numbered and delineated upon the record plat of "RE-SUBDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION", of record in Plat Book 116, Page 79, in the name of L. Shaq, Ltd. of record in Instrument Number 201406100071976, being of record in Recorder's Office, Franklin County, Ohio.

The undersigned, Michael J. DeAscentis II, authorized signature for L. Shaq, Ltd. owner of the land platted herein, does hereby certify that this plat correctly represents its "Re-Subdivision of Lot 19 of the Re-Sbudivision of Lots 8-11 of Hawksmoor Subdivision", and does hereby accept this plat of the same.

Easements are hereby reserved in, over and under areas hereby platted, and designated on this plat as "Easement" or "Drainage Easement" for the construction, operation and maintenance of all public and quasi public utilities above and beneath the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating, and maintaining major storm water drainage swales and or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within the Drainage Easement areas as delineated on this plat unless approved by the Director of Public Service, City of New Albany.

All easements within the building setback lines for general utility and drainage purposes shall be landscaped per the Hawksmoor Landscape Plan and maintained by the Hawksmoor Homeowners Association, Inc.

In Witness Whereof, Michael J. DeAscentis II, Authorized Signature for L. Shaq, Ltd., has hereunto set their hand this _____ day of _____, 2024.

Signed and acknowledged
In the presence of:

L. Shaq, Ltd.

_____

By_____
_____
Title

Witness

_____

Witness

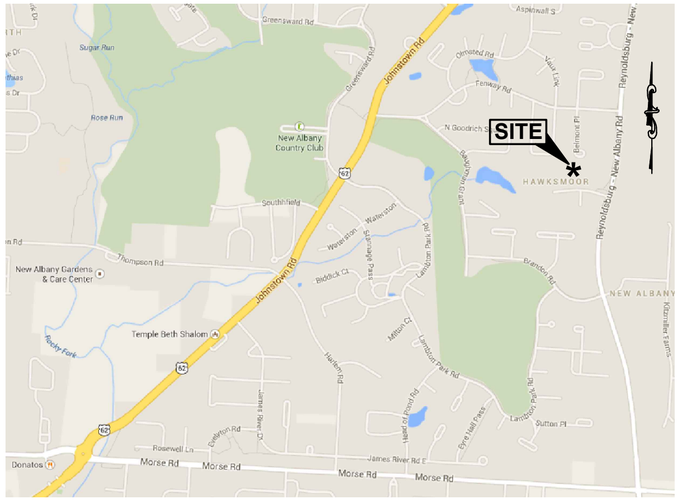
STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared _____ _____, autorized signed of L. Shaq, LTD., who acknoledge the signing the foregoing instrument to be their free and volantary act and deed and the free and voluntary act and deed of L. Shaq, LTD. fo rthe uses and puposes expressed therein.

Witness Thereof, I have hereunto set my hand and affixed any official seal this _____ day of _____, 2024.

My Commission expires _____

_____
Notary Public, State of Ohio



LOCATION MAP
NO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown on this plat were transferred from a GPS survey of Franklin County Monuments "FCGS 9913-B" and "FCGS 9914-B" performed by the Franklin County Engineer's Office, which was based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (1986 adjustment) and determines the bearing between said monuments as N 10° 32' 24" E.

SOURCE OF DATA: The sources of recorded survey data are the records of the Franklin County, Ohio, Recorder, referenced in the plan and text of this plat.

IRON PINS, where indicated, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic cap placed in the top bearing the inscription "ADVANCED". These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing by the surveyor when the markers are in place.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped "ADVANCED". Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing by the surveyor when the markers are in place.

Approved this ____ day of _____, 2024

_____
Mayor, New Albany, Ohio

Approved this ____ day of _____, 2024

_____
Municipal Engineer, New Albany, Ohio

Approved this ____ day of _____, 2024

_____
Council Representative to Planning Commission, New Albany, Ohio

Approved this ____ day of _____, 2024

_____
Chairperson, Planning Commission New Albany, Ohio

Approved this ____ day of _____, 2024

_____
Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. _____, passed _____, 2024, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to _____, 2024.

Transferred this ____ day of _____,

_____
Auditor, Franklin County, Ohio

_____
Deputy Auditor, Franklin County, Ohio

Filed for record this ____ day of _____, 2024 at _____ .M.
Fee $_____

File No. _____

_____
Recorder, Franklin County, Ohio

Recorded this ____ day of _____, 2024

_____
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages_____

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin Set
◎ = Permanent Marker
● = Iron Pin Found
✖ = PK Nail Found

By _____
Reg. Surveyor

ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS
781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

Z:\24-0011-1098\DWG\PRODUCTION DRAWINGS\SURVEY\24-0011-1098 resub lot 19 fp1.dwg page 1 Oct 28, 2024 - 2:51:07pm dbickham

RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION

20' Tree Preservation Zone/No Build Zone – See Note "C"

S86°27'00"E 450.00'

20' Tree Preservation Zone/No Build Zone – See Note "C"

S14°25'00"E 139.95'

Happytimes Home, LLC
I.N. 202305120046531
0.557 Ac.

N3°33'00"E 243.60'

50' Tree Preservation/No Build Zone/ Drainage Easement – See Note "C"

50' Building Setback Line

19
3.292 Ac.
(P.B. 116, Pg. 79)

L. Shaq, Ltd.
I.N. 201406100071976

40' Setback Line P.B. 106, Pg. 10

15' Easement P.B. 106, Pg. 10

R/W

15' Easement

Δ=14°45'26"
R=183.00'
ArcL=47.13'
ChB=S59°37'05"W
ChD=47.00'

R/W

Quarter Township 3
Quarter Township 4

Reserve "D"

Hawksmoor Drive 50'

Δ=95°52'58"
R=63.00'
ArcL=105.43'
ChB=S4°17'53"W
ChD=93.55'

R/W

R/W

S45°58'10"W 49.24'

40' Building Setback Line

25' Easement

20
3.907 Ac.
(P.B. 116, Pg. 79)

See page 3 for Detail of Area A-C

20' Drainage Easement

40.00'

N87°24'34"W 40.00'

20' Tree Preservation Zone/No Build Zone/ Drainage Easement – See Note "C"

(P.B. 106, Pg. 10) Orig. Lot 8 Line

Orig. Lot 9 Line (P.B. 106, Pg. 10)

HR Sugar Creek, LLC
I.N. 202309210098810

N3°33'00"E 115.52'

Wetland "B"

N83°13'23"E 385.99'

Tree Preservation/No Build Zone/Drainage Easement – See Note "C"

A 0.094 Ac. Tree Pres. Vacation

B 0.050 Ac. Storm Easement

C

Details on page 3.

A 0.094 Ac. Tree Pres. Vacation

B 0.050 Ac. Storm Easement

C 0.100 Ac. Tree Pres. Relocation/ No Build Zone/ Drainage Easement

Area of Ex. Tree Preservation/No Build Zone, per P.B. 106, Pg. 10, to be Vacated by the recording of this plat. Existing 30' drainage easement is to remain. Existing electric utility is known to be located within this easement area.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

NOTE "A": All of the area hereby platted is within Zone X (area determined to be outside 500-year floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin County, Ohio and Incorporated Areas, map numbered 39049C0204K with effective date of June 17, 2008.

NOTE "B": The Hawksmoor Homeowners Association, Inc. and all of the area being platted, hereby, shall be subject to Declarations of Covenants, Conditions, Restrictions and Easements for Hawksmoor as recorded with the Franklin County, Ohio Recorder in Instrument Number 200506030107847 and Instrument Number 200707100120698 and Instrument Number 201505080060071.

NOTE "C" - TREE PRESERVATION/NO BUILD ZONE/DRAINAGE EASEMENT:
Within those areas designated hereon as "Tree Preservation/No Build Zone/Drainage Easement", no accessory buildings, fences, walks, steps or improvements of any kind shall be constructed with the exception of seeding and limited grading to allow proper drainage in order to preserve trees. No tree shall be removed without the approval of the City Manager or their designee. Dead plant material, and noxious plant material such as poison ivy and trees may be removed. This zone shall be maintained by the owners of the lot."

NOTE "D" - PRESERVATION ZONE MARKERS:
Preservation area markers are to be installed at the edge of the preservation areas along the north property line of lot 6a and the lot 5 common property line's preservation zone area. Preservation zone markers will be maintained by the homeowner's association. Markers shall be obtained from the City of New Albany.

ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS
781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

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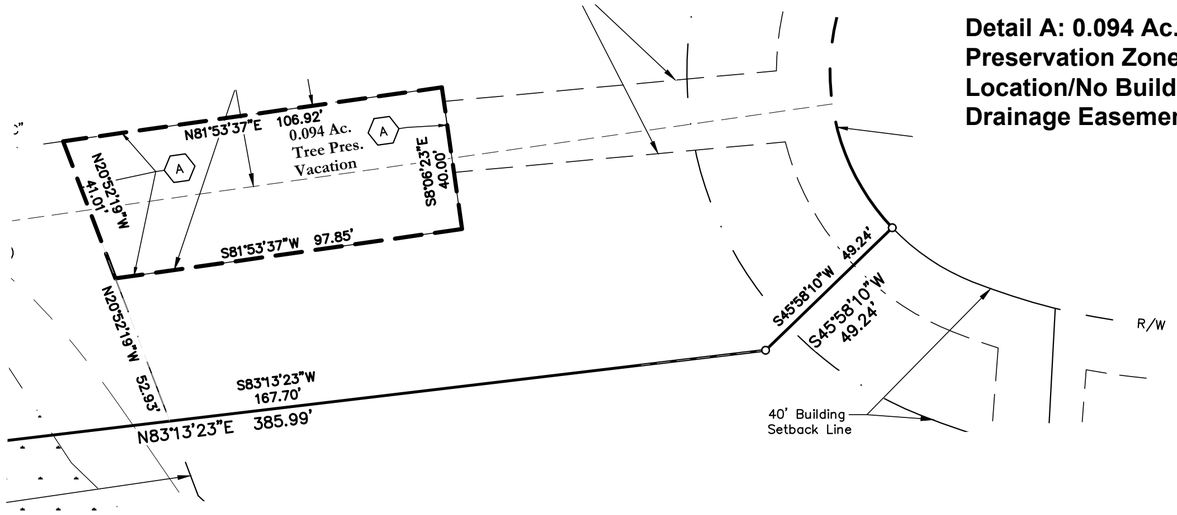
RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION

GRAPHIC SCALE

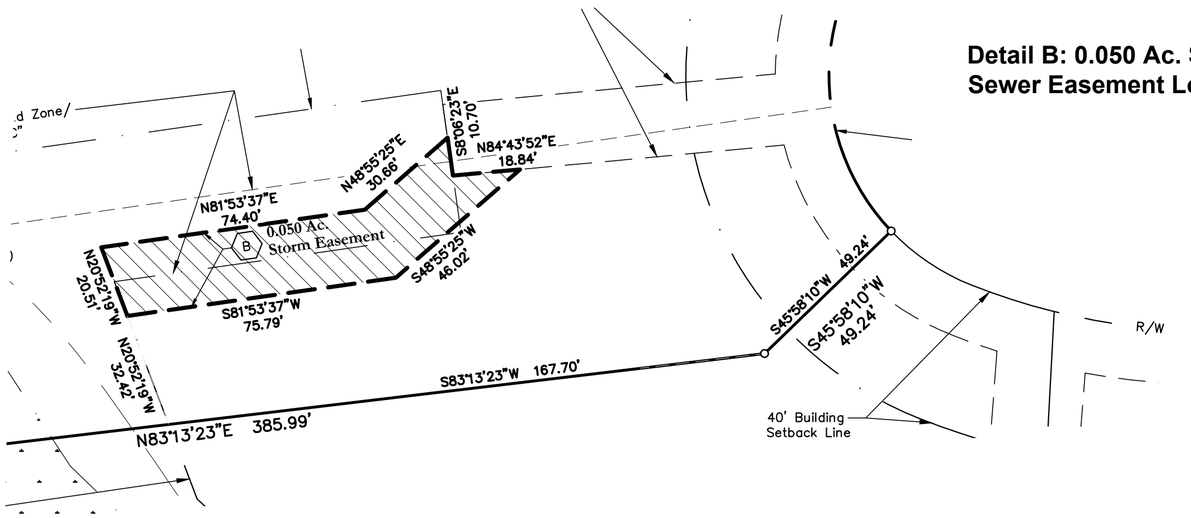
30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

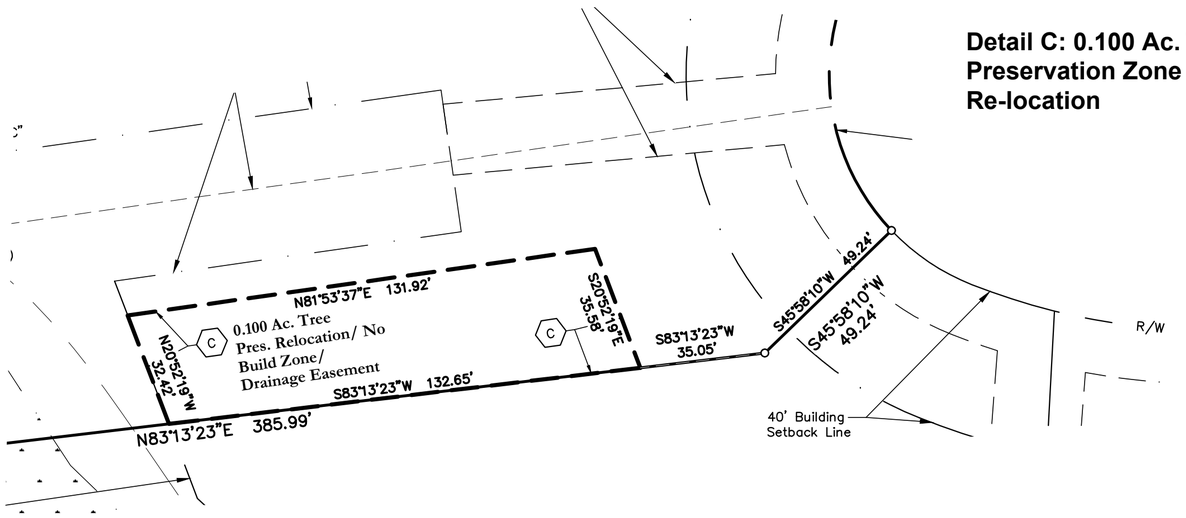
Detail A: 0.094 Ac. Tree Preservation Zone Vacation Location/No Build Zone/ Drainage Easement



Detail B: 0.050 Ac. Storm Sewer Easement Location



Detail C: 0.100 Ac. Tree Preservation Zone Re-location



ADVANCED
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