

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, SEPTEMBER 14, 2021, 7:00 PM

CALL TO ORDER

The meeting was held at Berlin Township Hall, 3271 Cheshire Road, and was called to order by Chairperson Steve Flaherty at 7:00 PM.

Mr. Flaherty led meeting attendees in the pledge of allegiance.

BZC members present: Chairperson Steve Flaherty, Vice-Chairperson Jerry Valentine, Christina Littleton, Angela Brown, Jenny Sloas (1st alternate member, seated).

Not present: BZC member Darcy Kaplan, Zoning Secretary Cathy Rippel.

Also present: Sherry Graham (2nd alternate member), Zoning Inspector David Loveless, Zoning Clerk Lisa Knapp.

Mr. Flaherty reviewed the adopted policy of the BZC, and noted that public comments are limited to three minutes per person. He reviewed the procedures for this hearing.

AGENDA ITEM: PROOF OF PUBLICATION

Ms. Knapp said this hearing was tabled from the prior meeting.

AGENDA ITEM: APPROVAL OF MINUTES

Mr. Valentine made a motion to approve the minutes from the 8/24/21 BZC meeting as presented. Ms. Littleton seconded the motion.

Vote: Valentine, yes; Littleton, yes; Brown, yes; Sloas, yes; Flaherty, abstain.

Motion carried, minutes were approved.

AGENDA ITEM: BZC 21-003 BUCKEYE SWIM CLUB 1895 PEACHBLOW ROAD

BZC 21-003 filed by Buckeye Swim Club, request to rezone about 10 acres from Farm Residential (FR-1) to Planned Commercial District (PCD) 1895 Peachblow Road, to build a competitive indoor swimming pool and commerce center known as Peachblow Crossing Aquatics & Commerce Center.

Rick and Laurie Karr, 3375 Brentwood Court, Powell, Ohio, presented the application and answered questions from the BZC. Mr. Karr thanked the BZC for the continuation. He said based on feedback received, changes have been made to the plan.

Mr. Karr noted that there are 443 plus possibly another 70 acres for sale around this property that are in the process of being developed as single-family homes, and some planned commercial as well in front of the new elementary school. Across from the subject parcels will be high density residential, and there will be high density residential behind the school. He pointed out existing structures across from Peachblow Road, and a building owned by a building company that seems to be a commercial operation and is 217' long by 66' wide at its widest point. He wanted to provide other perspectives of the area. He noted that Evans Farm is also developing the area. With everything going on in the area, there is a substantial amount of development.

Mr. Karr said the proposed use will not create any additional tax burden on Berlin Township, unlike single family homes that require maintenance of roads and other costs, including students. Olentangy Schools supports the commercial development. The uses for the building, include a swimming pool for swim teams to use, and other uses.

Mr. Karr said the new amendment provides all of the proposed NAICS codes, and the undesired uses were removed from the plan. The ingress/egress was moved from Peachblow Road, the water retention pond was moved towards the tract, and the exterior

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52 of the building was redesigned to provide a rural feel. There will be minimal light
53 pollution from the uses on the property. The exterior appearance has been softened as
54 well.

55
56 Mr. Karr said the 3-4' berms around the west and north property lines were reaffirmed,
57 and 4-5' spruce pines were added. The fencing around the west and north property lines
58 has been added, and additional exhibits provided. Some of the parking spots were
59 eliminated and green space added. There will be two equal-sized 20,000 SF buildings
60 instead of one 40,000, breaking up the appearance. The cell phone tower was eliminated.

61
62 Mr. Karr said there is a lot of existing buffering and landscaping, which he pointed out on
63 the exhibit.

64
65 BZC Consideration

66
67 Mr. Valentine thanked Mr. Karr for making the changes to the plan. He appreciated the
68 buildings being split up in to two smaller buildings, the mounding, etc. and he likes the
69 new plan.

70
71 Ms. Littleton said regarding the NAICS codes, should the headings be included, or are
72 they too inclusive. There was a discussion.

73
74 Ms. Littleton said all four sides of the building will have design elements and she said
75 that is important. She asked whether both of the buildings would have a front entrance.
76 Mr. Karr said they would, and it would be between 5-15' from the building in order to
77 break it up.

78
79 Ms. Littleton asked whether there would be any other lights on the building other than the
80 gooseneck lighting and the parking lot lighting. Mr. Karr said he is attempting to reduce
81 the amount of lighting for the site, so that should be it. Ms. Littleton said the biggest
82 transformation is the exterior of the building, and she thinks its great to split the larger
83 building into two separate buildings.

84
85 Ms. Brown said splitting the building into two parts is great and she likes seeing the
86 green to show through. She also loves the exterior of the building, and is happy with the
87 NAICS codes. The swim signage will be on the peak of the roof pitch, and she asked
88 whether there would be signage at the road. Mr. Karr said he planned to follow the
89 zoning resolution and have basic signage with addresses and businesses names at the
90 front. Ms. Brown said with 40,000 SF available, there could be many business names on
91 that sign. Mr. Karr said the zoning resolution has limitations.

92
93 Ms. Brown said that development is happening and its hard to take, but on the other hand,
94 it is important to have responsible growth in an area that is quickly growing. She
95 appreciated the letter with concerns from the Peachblow Road residents. The township
96 wants to minimize the burden on the area. Many houses being built in the area requires
97 more schools and increases taxes. Businesses reduce the tax burden on residents.

98
99 Ms. Brown said the 22' maximum height will minimize the appearance of the buildings
100 and make it look as natural as possible. It is sad that the fields are going away, but at the
101 same time, there is nothing that can be done to stop growth. The township needs to
102 control that, and ensure it is done in a manner that protects the residents. They want to
103 ensure the neighbors get enough buffering. She likes the additional trees and mounding.
104 It will also help buffer the noise of the railroad tracks.

105
106 Some residents spoke up and said they live there and they enjoy the railroad tracks.

107

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108 Ms. Sloas said she was not at the initial meeting, but she did review all of the material.
109 She asked whether the Buckeye Swim Club sign on the roof pitch would be illuminated.
110 Ms. Karr said it would not be, and it was a placeholder.
111
112 Ms. Sloas said the improvement to the aesthetics is great, and it fits more in with the rural
113 feel of the area, rather than the more urban appearance it had prior. The applicant has
114 addressed some of the concerns raised by the homeowners in the area.
115
116 Ms. Sloas said asked about mitigating the potential noise pollution. Ms. Karr said the
117 pool is inside and any noise would not be heard from outside. Ms. Sloas liked the fact
118 that the 40,000 SF building was broken up.
119
120 Mr. Flaherty thanked the applicant for revising the NAICS codes and eliminating some.
121 The adjustment of the entrance was a good one. There are some concerns about surveys
122 and where property lines lie and those will be addressed via engineering. The zoning
123 commission considers the right to develop a property from FR-1 to PCD and whether the
124 requirements have been satisfied.
125
126 Mr. Flaherty said the recommendation of the BZC will go to the trustees for final
127 consideration.
128
129 Mr. Flaherty said he likes the breakup of the large building, although it is still large for
130 the area. It is within what is allowed for PCD. The buffering changes were absolutely
131 needed, and now there are 4-5' tall mounds with trees on top and fencing. He asked
132 about the parking proposal and the elimination of some.
133
134 Mr. Karr said there are still the same number of parking spaces and they were moved to a
135 different area. Mr. Karr said there is additional green space between the buildings. Mr.
136 Karr said the number of parking spaces meets the zoning resolution requirement,
137 although he could probably reduce that by 20%.
138
139 Mr. Flaherty said a variance would be required for a reduction in parking, as he feels that
140 is excessive for what was needed. That additional parking is another overall impact to the
141 land, and there have been concerns from residents about drainage from the property. He
142 has no problem reducing that number to an agreement amount that the fire department
143 and county engineer would agree to in order to lessen the impact on the area.
144
145 Ms. Littleton asked whether just 20 spaces worked for the swimming facility at their
146 current location. Ms. Karr said that was correct. Mr. Valentine asked whether there was
147 a study that would determine how many would really be needed.
148
149 Ms. Brown asked how the variance would be granted. Mr. Flaherty said it would be
150 written into the plan and the design would be approved during the final development
151 plan, prior to ground being broken, and it would need to obtain approval from the county
152 engineer and fire department.
153
154 Mr. Karr said there are 268 spaces plus 12 for ADA, so a total of 280.
155
156 Ms. Graham said she has positive things to say about the exteriors, and she is concerned
157 about responsible growth and reducing the burden on the taxpayer and the overcrowding
158 of schools. There is a lack of some businesses in this area, and she appreciates the
159 applicant's investment of time and energy in this rather than building an apartment
160 building.
161
162
163

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Public Comment

Two letters were entered into the record as follows:

9/9/2021

Berlin Township Trustees
3271 Cheshire Road
Delaware Ohio, 43015

From: Peachblow Area Residents

Berlin Township Zoning Board:

BZC 21-003 has been filed by Buckeye Swim Club, 3375 Brentwood Court, Powell, OH 43065. The applicant is requesting to rezone, Parcel #41833001002000, 5.00 acres and Parcel #41833001003000, 5.00 acres from Farm Residential District (FR-1) to Planned Commercial District (PCD) 1895 Peachblow Road, Lewis Center, OH 43005 to build an indoor competitive swimming pool and Commerce Center, known as Peachblow Crossing Aquatics and Commerce Center. As property owners in the area, we the undersigned do hereby request that the pending application mentioned herein be denied by the Berlin Township Zoning Commission on the following grounds:

- 1) Any commercial property does not fit our rural neighborhood. The large 40,000 square foot building is not suitable in our residential locale. All adjacent properties are currently zoned FR1. The future growth in the area is all residential as well. This facility is not fitting and inappropriate. This project will negatively impact our property values and limit potential future home sales.
- 2) Nearby property owners have grave concerns with this commercial rezoning. Inadequate control of storm water from the large paved area. These parcels have a history of retaining water. Commercial level noise generated by HVAC air handlers, pool / pump equipment and loading dock. A lighted parking lot will cause more light pollution and disturb adjacent homeowners. Traffic will increase due to sheer size of this proposal. Road traffic already has increased due to the new school nearby. We have major apprehensions over increased traffic, noise and general safety.

We ask that you reject the rezoning request in total. We wish to remain living in a quiet residential and rural neighborhood. An area free of any commercial encumbrances and urban blight. Please preserve our neighborhood and protect our property values.

Sincerely,


Peachblow Area Residents
Cc: Berlin Township Trustees

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BSC-21-003 Opposition Letter
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 9/10/21
Signature Date

1522 Pritchblos Rd
Address

1166 PACIFICO Rd.
Address

Berlin Township Zoning Board
Steve Flaherty, Chairman
3271 Cheshire Road
Delaware, Ohio 43015

From: John Eckstein

Subject: Common property lines with Buckeye Swim Club

Board Members:

The owners of the ten acres plot under consideration state in present paper work, "the plan and survey demonstrates encroachment of their current driveway on the respective site plan". (buckeye-swim-revisions-2.pdf)

In file (buckeye-swim-club-02.pdf) copies of Eckstein Warranty Deed (O.R.C. 5302.02-5302.06), Shores survey of Holobaugh land subdivided 11/11/1991, Eckstein property description, plot photo taken from County Auditors global imaging system (GIS).

As can be seen from Shores' survey Buckeye Swim Club and Eckstein share two common property lines: East to West line for 310.10 feet, North to South for 1406.09 feet. These property lines remain as the 1991 survey.

Next I have including copies of Buckeye Swim Club, General Warranty Deed for parcels: 418-330-01-003-000 & 418-330-01-002-000 with legal description. It is evident in Parcel Two, paragraphs seven and eight common East to West line 310.10 and North to South line 146.09 are as Shore survey of 1991.

As recent as September 8, 2021 I had my property lines surveyed and affirmed; as evident with enclosed Central Surveying Co., Line Survey of Drive Location date September 13, 2021. All pins West to East, North to South are affirmed.

Additional: let me assert my West to East 367.8 with Parcel 4(11/11/91survey) is affirmed in Tony W. Meacham survey dated 6-28-1998 perform for Clover Pond Estates Subdivision. (Holobaugh subdividing Parcel 4, 9.19 acres of the lot map of 11/11/1991).

Steve
1305

E

Ret

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Let me note at this time GSI is not Global Position System(GPS). Delaware County Ohio has a disclaimer as to the use of their GSI information on the WEB site. Thus it can be said with Buckeye Swim Clubs use of photo or data from Delaware County's GSI may be misleading.

I expect this to put to rest and any future discussion/claim of Eckstein driveway encroachment on Buckeye Swim Club property!

John Eckstein and Fran Eckstein

Owners

2001 Peachblow Road

Lewis Center, Ohio 43035

207 *(Note: this letter and attachments are a total of 11 pages and are on file at the township*
208 *hall).*

209

210 John Eckstein, 2001 Peachblow Road, asked whether the applicants were agreeing that
211 his driveway does not encroach on his driveway. Mr. Karr said that is what the survey
212 data shows. Ms. Karr said the survey has been included in the application. Mr. Eckstein
213 asked how the encroachment had been established. Ms. Karr said it was never a certainty
214 that it did encroach, and that it needed to be verified.

215

216 Mr. Eckstein said the auditor's GIS is inaccurate. Mr. Karr said they would use the
217 survey. Mr. Eckstein was upset that they had claimed his driveway encroached upon the
218 property. Ms. Karr said that was not intentional.

219

220 Mr. Eckstein said he did not want the application to be approved.

221

222 Mr. Eckstein said he did not understand why there are no fences around the ponds.

223

224 Mr. Flaherty made a motion to enter the letters into the record. Mr. Valentine seconded
225 the motion.

226 Vote: Flaherty, yes; Valentine, yes; Sloas, yes; Brown, yes; Littleton, yes.

227

228 Mr. Eckstein said there is no traffic study. Within the next 2-3 years there will be a
229 railroad overpass at Home Road and one at Cheshire Road. The trains stop sometimes,
230 and there are many traffic jams. Cars will pile up. Mr. Flaherty said that traffic is not
231 related to zoning. Mr. Eckstein said it is the BZC's responsibility to look at the legacy of
232 all property changes in the community.

233

234 Mr. Flaherty said the township does not have jurisdiction over traffic, and they rely upon
235 the county engineer. The trustees are the ultimate liability holders for traffic concerns
236 and maintaining the roads department.

237

238 Brooke Brant, 1873 Peachblow Road, thanked the applicant for the changes that were
239 made. However, she does not want the development beside her house. She did not want
240 the driveway next to her house and asked whether the location could be changed. She
241 would prefer a pond behind her house.

242

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243 Mitchell Brant, 1873 Peachblow Road, said his property line ends a couple feet from the
244 shown propane tank. The driveway is about 10' into the tall grass and it will be
245 substantially close to his home. He is concerned about potential crime.
246
247 Mr. Karr said the BZC asked him to move it to its current location, but he is indifferent.
248 Mr. Flaherty said it was moved to provide a buffer area.
249
250 Mike Williamson, site engineer with Terrain Evolution, said the county will require the
251 final driveway placement to be based on the site distance for the speed rated for that road.
252 It could be moved if the county engineer is fine with it.
253
254 There was a question about the fence. Mr. Karr said he was not opposed to running the
255 fence if necessary to separate from their driveway.
256
257 Mr. Williamson noted that the county requires that the ponds have a "bench" for the first
258 10' which is only 1-1.5' deep, so if somebody falls in, they can stand up. He said
259 regarding the Brant's request, they can probably work something out.
260
261 Mr. Eckstein had questions about how close a pond can be placed to a residence. Mr.
262 Williamson said there are no zoning regulations regarding that in Berlin Township. The
263 county said the pond needs to be 15' wide if it takes in offsite water and is in the ditch
264 maintenance program.
265
266 Mr. Eckstein said he was amazed to see a pond just 15' from a basement wall. Mr.
267 Williamson said that is in the City of Delaware, and they have different regulations. He
268 said in Delaware County, it is required that there is 15' between the structures and the
269 pond in order to provide access. Many people buy homes so they are close to the pond,
270 while others do not.
271 Ms. Brown said there will also be a mound that will provide a buffer and protection from
272 the driveway.
273
274 Tammy Adams, 1795 Peachblow, said she appreciates the changes made to the plan. She
275 said she did not appreciate being told what is good for her and what would help her, such
276 as with the train noise. The applicant is attempting to place commercial property smack
277 dab in the center of an established FR-1 residential area that has 1+ acre lots. The
278 applicant already had a conditional use permit for the pool, and she didn't understand
279 why they needed to have a commercial center there as well. Also, the density is too high.
280
281 Ms. Brown responded that she did not mean to offend her. She said it may help to drown
282 out some of the noise of the other residential developments that will be built in the area in
283 the future. Mr. Brant said the difference is that this is a commercial use, and the
284 neighbors would prefer a residential use.
285
286 Tom Adams, 1795 Peachblow Road, pointed out his home on the rendering. He said
287 everybody is stating that various areas will be developed commercially or residential in
288 the near future. However, that hasn't happened yet, and this application needs to be
289 judged on its own merits. There are issues with at least one of the zoned areas, and
290 nothing has been built in front of the school. A commercial use does not fit in this
291 residential neighborhood. He asked each BZC member whether they would want this use
292 next door to them. Would they want to listen to the traffic, air conditioners, and have to
293 see headlights every day? He would rather see 8-10 nice homes there instead of 268
294 parking spaces.
295
296 Mr. Adams asked the BZC to protect his FR-1 neighborhood. He said hopefully they can
297 see they are passionate about their homes. He is passionate about his 3.5 acres, and it has

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298 been a lifelong effort for he and his wife to build that. He does not want to look at the
299 commercial buildings.

300
301 Tyler Winslow, 1841 Peachblow Road, said he agrees with his neighbors. Although he
302 appreciates the proposed business, he does not want to look at this in his backyard.

303
304 Mr. Eckstein asked whether the applicant owned land in Orange Township where they
305 had planned to build this. Mr. Karr and Ms. Karr said they did not. Mr. Eckstein said it
306 was his understanding that they had attempted to get this done in Orange Township. Mr.
307 Karr and Ms. Karr said they had not, and said they had looked at property there but they
308 did not allow the pool bubble. Mr. Karr said the bubble is 50' high and there would be
309 pool noise, etc. Ms. Karr said they never looked formally into Orange Township.

310
311 Mr. Eckstein asked whether they had looked for property in Liberty Township. Ms. Karr
312 said she had, but there is nothing there that would work for her.

313
314 Mr. Eckstein asked that a BZC member make a motion to table the application. Mr.
315 Flaherty said that would have to be at the request of the applicant.

316
317 Mr. Eckstein asked about 541940 Veterinary Services and 812910 Pet Care (except
318 Veterinary) services. Ms. Karr said those are two different uses, and the latter could be a
319 doggy day care. Mr. Flaherty said they are two different industries: veterinary would
320 have a medical focus and is under 54119, Professional, Scientific and Technical services,
321 and the 81 is Other Businesses.

322
323 Mr. Eckstein asked whether item 2.2 could be removed regarding the planned
324 accommodation at the entrance and exit at the site for the encroachment, as it does not
325 exist. Mr. Karr agreed to remove 2.2 in its entirety.

326
327 Mr. Eckstein asked that the oak trees he planted along the property line not be disturbed.
328 Ms. Karr asked whether they were on their property or the applicant's. Mr. Eckstein said
329 he planted them on his property but they have grown. Ms. Karr said she likes the trees.

330
331 Mr. Karr said the parking section is 24.01 in the zoning resolution.

332
333 BZC will allow a variance to the required parking calculations as presented in Section
334 24.01 of the Berlin Township Zoning Resolution, for only this project. They will defer to
335 what is agreeable by both the Berlin Township Fire Department, and the Delaware
336 County Engineer for adequate number of spaces and layout, as long as it doesn't
337 encroach on setbacks any further than shown in the application. They expect an updated
338 and agreed-upon plan by both parties upon final development plan.

339
340 The applicants agreed to this.

341
342 **RESOLUTION 2021.09.14.#1: RECOMMEND APPROVAL OF**
343 **BZC CASE 21-003, BUCKEYE SWIM CLUB**

344
345 Ms. Littleton made a motion to approve BZC case 21-003, filed by Buckeye Swim Club,
346 as presented, with amendments 1-8, striking 2.2.

347 Vote: Littleton, yes; Brown, yes; Sloas, yes; Valentine, yes; Flaherty, yes.
348 Motion was approved.

349
350 Mr. Flaherty noted that the recommendation of approval will go to the trustees for final
351 consideration, where they may approve or deny it. If they approve it, the residents have
352 30 days to file a petition to put it on the ballot. He thanked the residents for being part of
353 the process, and he said the BZC understands their concerns.

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354 Mr. Flaherty noted that updates to the CLUP are being done currently, and the township
355 welcomes input. BZC meetings will continued to be broadcast on Facebook while he is
356 chair, for increased transparency, but the trustee meetings are not, although he
357 encouraged them to. This is his own camera and setup, he noted.

358 **AGENDA ITEM: INFORMAL HEARING FOR AR HOMES**

359 Mr. Shearrow, Vice President of Realty Ohio Real Estate, said he is also a new resident
360 of Berlin Township, in The Pines.

361
362 Mr. Shearrow said he is proud to represent the three men here tonight, Arthur Gupta, AJ
363 Wall, and Sunny Singh, who are from AR Homes, formerly known as Arthur Rittenberg,
364 but has now been rebranded.

365
366 Mr. Shearrow said they are in contract for a property that abuts The Pines. The property
367 is located at the end of Preston Field Drive, at 0 Berlin Station Road. It is just past the
368 curve, he noted. The property is 6.8 acres total and is two parcels, including a split off of
369 another parcel. Both are commonly owned. The 6.7 acres is being sold and there is
370 another half acre parcel that is split off to allow for access to a large flag lot.

371
372 Mr. Shearrow said the property abuts the easement that would be the extension of Preston
373 Field Drive.

374
375 Mr. Shearrow said the property is in contract, and the proposal would be to establish a
376 private drive community. The development falls within the 1.85 units/net developable
377 acre requirement in this area, although there are some higher density zonings around it.
378 He feels this development would be a higher priced and different type of development
379 one would typically see if it was just an extension of The Pines. This kind of
380 development is needed, and it would be in line with Sycamore Trail and Maple Glen.

381
382 Mr. Gupta said that he and Mr. Wall own the AR Homes brand in Ohio. AR Homes is a
383 national builder, and they sell franchises to distinct building companies in markets they
384 want to enter. They purchased their franchises about 4.5 years ago. He and Mr. Wall's
385 combined construction experience is over 40 years.

386
387 Mr. Gupta said they build all over the Central Ohio area, including at Evans Farm,
388 Jerome Village, New Albany, etc. They have the opportunity to bring their product to
389 Berlin Township.

390
391 Mr. Flaherty said they mentioned they would adhere to the 1.85 units/net developable
392 acre requirement. Mr. Shearrow said that was correct, and this would be 12 lots. Mr.
393 Flaherty said regarding green space, it appears there would be a playground. Mr. Gupta
394 said there would also be mounding with trees to increase the landscaping buffer between
395 this and the existing homes. Mr. Shearrow said there would also be a walking trail.

396
397 Mr. Gupta said Preston Field Drive has not been built yet, and he would be using a
398 different access off of a half-acre lot off Berlin Station Road, with a tree-lined entrance to
399 the community. There would be a walking path the schools on the other side.

400
401 Mr. Flaherty asked whether site drainage was not required due to the size of the homes
402 and lots. Mr. Shearrow said that was correct and said the property is flat and tree lined.
403 Mr. Gupta said the trees would not be disturbed, and mounding and trees would also be
404 added to some of the areas.

405

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406 Mr. Flaherty asked for the typical building footprint. Mr. Shearrow said it would be a
407 minimum of 2,000 SF, but most likely 3,000+ SF. These would all be custom two-story
408 homes.

409

410 Ms. Brown said there would be HOA restrictions, and AJ agreed. Ms. Brown said they
411 could also consider a 1-story home with a Cape Cod style façade, as that would open up
412 the customer base for those customers who do not need a traditional two story homes. AJ
413 said that the majority of AR homes have first floor master bedrooms.

414

415 Mr. Valentine said it appeared that the lots would be 1/3 acre. AJ said they would be
416 slightly larger. Mr. Valentine asked whether there would be any divergences requested
417 for the side yard setbacks, which are required to be 12.5' minimum. AJ said there were
418 not.

419

420 Mr. Flaherty asked whether the roads would be curb and gutter and private. AJ said that
421 was the intention

422

423 Mr. Shearrow asked whether there were any glaring issues that the property owners need
424 to know about prior to submittal. He planned to discuss the application with abutting
425 property owners to make them aware of their plans for the property. Some of the lots
426 may be developed by a different builder, but they would all meet the designs standards
427 set for the property. He asked whether there was anything the BZC would like to see as
428 part of the design standards, and what kinds of issues they typically see from neighboring
429 property owners.

430

431 Mr. Flaherty said the first item the BZC considers is the density of a development.
432 Although they do allow some density adjustments and other divergences, depending on
433 the circumstances.

434

435 Mr. Valentine said the residents should be protected. He suggested a tree line on the east
436 side where the open field is.

437

438 Ms. Brown said she would like to see a more substantial mound of 4-5' tall, to protect the
439 adjoining properties. There was a discussion about the existing trees.

440

441 Mr. Shearrow said he did not anticipate any overall variances except perhaps a small
442 divergence at the frontage of one of the cul-de-sac lots. There was a discussion about
443 cul-de-sacs, and islands not permitted due to emergency and township vehicle access.

444

445 There was a discussion about applying for the rezoning. Mr. Flaherty suggested that the
446 applicants meet with Mr. Loveless. He noted that the application would include the site
447 plan, setbacks, requested divergences, building guidelines and sample plans.

448

449 Mr. Shearrow asked whether it would be preferred to rezone to a particular zoning class.
450 Mr. Flaherty said the straight FR-1 to R-2 would probably work. Mr. Shearrow asked
451 whether there was anything additional they could include in the plan. Mr. Flaherty said
452 natural screening is critical and the lot layout seems fine. There was additional
453 discussion.

454

455 Ms. Brown liked the green space. Ms. Littleton said that meeting with the neighboring
456 residents is important. Mr. Shearrow said the property is difficult to see, with all of the
457 trees.

458

459 Mr. Flaherty said the next regularly scheduled BZC meeting is Tuesday, September 28 at
460 7:00 PM. He and Mr. Valentine will be absent, so a different BZC member will have to
461 chair the meeting.

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, SEPTEMBER 14, 2021, 7:00 PM

462 Mr. Flaherty said there have been questions regarding whether an alternate BZC member
463 can sit in on a meeting that was previously heard by other members. The county
464 prosecutor has confirmed via email that is permitted, and that the alternates may vote on
465 applications.

466 **AGENDA ITEM: OTHER BUSINESS**

467 Mr. Loveless said there has been some interest in properties at Greif Parkway and
468 Columbus Pike, and some properties with tall weeds that were finally mowed.
469 There was no further business to come before the BZC. Mr. Flaherty adjourned the
470 meeting.

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474

Steve Flaherty, Chairperson

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477

Jerry Valentine, Vice-Chairperson

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Darcy Kaplan, member

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Christina Littleton, member

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Angela Brown, member

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Jenny Sloas, 1st alternate member

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Sherry Graham, 2nd alternate member

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Attest: _____

496

Lisa F. Knapp, Berlin Township Zoning Clerk