



New Albany Planning Commission
Monday, July 21, 2025 Meeting Minutes – Approved

I. Call to order

The New Albany Planning Commission held a regular meeting on Monday, July 21, 2025 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

Chair Kirby	present
Mr. Wallace	present
Mr. Schell	present
Mr. Larsen	present
Ms. Briggs	present
Council Member Wiltout	present

Having all voting members present, the commission had a quorum to transact business.

Staff members present: Law Director Albrecht, Development Engineer Albright, Planner I Blackburn, Planning Manager Christian, Planner I Henderson, Planner I Sauter, Deputy Clerk Madriguera.

III. Action on minutes: June 16, 2025

Chair Kirby asked if there were any corrections to the meeting minutes from the June 16, 2025 meeting.

Hearing none, Commissioner Schell moved to approve the June 16, 2025 meeting minutes. Commissioner Larsen seconded the motion.

Chair Kirby asked if 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 yes, Ms. Briggs yes, Mr. Kirby yes. Having five yes votes, the motion passed unanimously and the June 16, 2025 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 Christian answered none from staff.

Chair Kirby advised everyone that now would be a good time to silence their cell phones.

Thereafter Chair Kirby administered the oath to all present who would be addressing the commission.

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.

Mr. Swanson, 7758 Westcross Drive in New Albany addressed the commission on the purchase of land in Granville. The New Albany Company purchased the land some years ago for water for the Intel plant. He questioned how the Intel plant could be built without a clear plan for adequate water.

Chair Kirby continued that the commission deals with some of these issues but as a general matter the commission does not address this issue.

Council Member Wiltout invited Mr. Swanson to come to city council meetings to discuss these concerns. She further asked him to share his contact information with staff so they could gather answers to his questions. She also let him know that in addition to the New Albany City Council, the Licking County Commissioners and planning authorities could be a good resource for him.

Chair Kirby asked whether there were any other visitors who wished to address the commission. Hearing none, he introduced the first case and asked to hear from staff.

VI. Cases:

FPM-51-2025 Hawksmoor Lot 19 Re-Plat

Final plat modification to vacate and create tree preservation zones/drainage easements on 3.29 acres of land located at 8 Hawksmoor Drive (PID 222-004645-00).

Applicant: Curtis Echelberry

Planner Sauter delivered the staff report.

Chair Kirby asked to hear from the applicant.

Applicant Curtis Echelberry spoke in support of the application.

Commissioner Wallace summarized that basically there are a bunch of existing trees that will become the new tree preservation zone and the trees in the existing preservation zone will be cut down.

Mr. Echelberry answered that he was not sure what the plans are, but the trees in the vacated preservation zone could be removed.

Commissioner Schell asked whether new trees would be planted.

Mr. Echelberry answered that he was not sure.

Commissioner Larsen confirmed that it was one lot.

Chair Kirby asked whether there were any further questions from the commission or whether anyone from the public wanted to comment on the application.

Hearing none, Chair Kirby moved to admit the staff reports and related documents into the record for FPM-51-2025. 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. Kirby yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Schell yes. Having five yes votes the motion passed and the staff reports and related documents were admitted into the record for FPM-51-2025.

Thereafter Chair Kirby asked Development Engineer Albright whether there were any comments from engineering.

Development Engineer Albright responded that there are two comments and a single condition listed in the staff report.

Commissioner Schell moved for approval of FPM-51-2025 based on the findings in the staff report and the condition in the staff report that the city engineer's comments must be addressed, subject to staff approval. 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, Ms. Briggs yes, Mr. Kirby yes, Mr. Wallace no. Having four yes votes and one no vote the motion passed and FPM-51-2025 was approved subject to the single condition in the staff report.

Commissioner Wallace explained that he voted no because he was not in favor of taking away tree preservation zones.

The commission wished the applicant good luck.

Chair Kirby introduced the next and final case and asked to hear the staff report.

VAR-52-2025 Ealy Crossing Pool Variance

Variance to pool fence and location requirements to allow a safety cover on a pool and for a pool to be outside of the building line on a 0.75-acre site located at 21 Ealy Crossing S (PID: 222-004142-00).

Applicant: Julie and Vince Jenkins

Planner I Henderson delivered the staff report.

Development Engineer Albright said there were no comments from engineering.

Applicant Vince Jenkins spoke in support of the application. He explained that this is a minor request because the code permits a 10x10 spa, and his request was for a 10x16 pool which is more of a plunge pool. He stated that they will install an ASTM certified pool cover. They are doing everything they can to maintain the intent and safety requirements of the code provisions for pools. The ASTM certified pool cover would prevent a small child or infant from getting into the pool. He distributed photos of the property.

Commissioner Larsen asked whether there was sufficient room to place the pool within the building line.

Mr. Jenkins said it appears as such but there is a hill and a 100-ft. preservation zone which contains a wooded area.

Chair Kirby asked whether Mr. Jenkins built the house and whether he had counsel when he and Mrs. Jenkins bought the house.

Mr. Jenkins answered that they built the house in 2016 and he did not recall having counsel.

Commissioner Briggs confirmed that staff had sent out neighbor notification letters and asked whether staff had received responses.

Planner I Henderson reported that he received one call from a neighbor concerned about construction traffic.

Chair Kirby remarked that visually, this property is right behind Keswick. It is one lot away from Ogden Woods. This property truly is in the Village Center. He asked Mr. Jenkins whether, if someone was walking through the woods, they could walk right up to the pool.

Mr. Jenkins responded yes, hypothetically.

Commissioner Briggs asked the applicant whether he had any photos of an ASTM pool cover.

Mr. Jenkins clarified that the proposed cover is ASTM certified, it is not a cover unto itself. This cover will be a hard cover; this plunge pool is designed to be smaller than a regular pool, it could be characterized as a spa but they felt that such a characterization would not be honest.

Commissioner Briggs stated that she was concerned that someone could fall into the pool when walking up on it.

Mr. Jenkins replied that the cover is concrete.

Council Member Wiltout confirmed that there was no fence, that it was just a natural barrier.

Mr. Jenkins said he has AI generated renderings of the brick fence they are planning to build.

Applicant Julie Jenkins approached the lectern and stated that they are only requesting 6-ft more than the 10x10 that is allowed by code. Thus this is only a 6-foot variance.

Chair Kirby asked the applicants whether they had spoken to their insurer.

Mr. Jenkins replied not yet, he thought that the commission was a good first step.

Chair Kirby remarked all the approved variances for a pool have a physical barrier and have not been this close to the Village Center.

Chair Kirby moved to admit the staff reports and related documents including the photos submitted by the applicants into the record for VAR-52-2025. 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, Ms. Briggs yes, Mr. Schell yes, Mr. Wallace yes. Having five yes votes, the staff reports and related documents including the photos submitted by the applicants were admitted to the record for VAR-52-2025.

Chair Kirby moved for approval of VAR-52-2025 (A) based on the findings with the conditions in the staff report, if any, subject to staff approval. 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 no, Mr. Wallace no, Mr. Larsen no, Ms. Briggs no, Mr. Schell no. Having zero yes votes and five no votes the motion failed and VAR-52-2025 (A) was not approved.

Chair Kirby explained that he voted no because this request does not meet the *Duncan* criteria, in particular the safety factor. He further stated that because the applicants built the house, this is a self-inflicted wound. This property is not unique and there is no hardship. He pointed to items 5 and 6 in particular.

Commissioner Wallace concurred and stated that he found this to be a substantial variance and had the potential to have precedential weight. He further found that the commission had yet to approve a variance of this type in this location.

Commissioner Larsen concurred. He further found that there was an alternate solution available and that denying the variance does not diminish the value of the property.

Commissioner Schell concurred. He apologized for rejecting the request but noted the precedential value of granting this variance.

Commissioner Briggs concurred and further found that denial was appropriate for overall safety noting the proximity of this home to other homes.

Chair Kirby moved for approval of VAR-52-2025 (B) based on the findings in the staff report with the conditions in the staff report, subject to staff approval. 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 no, Mr. Wallace no, Mr. Larsen no, Ms. Briggs no, Mr. Schell no. Having zero yes votes and five no votes the motion failed and VAR-52-2025 (B) was not approved.

Chair Kirby explained that he voted no because this request does not meet the *Duncan* criteria. There are other ways to accomplish the objectives sought here and there is nothing inherent about this property that requires this variance.

Commissioner Wallace concurred and stated that he voted no for the same reasons. He further stated that he was concerned about setting precedent.

Commissioner Larsen found that there were alternate solutions to the variance, and found that there was nothing unique about this property that required this variance.

Commissioner Schell concurred. Again, he acknowledged the disappointment of the applicants but was concerned about the precedential value that would accompany granting the variance in this location.

Commissioner Briggs concurred and found that, again, the overall safety concerns outweighed the request.

Kirby advised the applicants to put a fence around it and they will not have to ask for commission approval.

Ms. Jenkins invited the commission to come and see the site; she stated that for safety and for aesthetics, their request is the better option.

Chair Kirby responded that the commission did not conduct site visits because a decision on a variance has to be supported by items in the record and a site visit could not be added to the record.

Law Director Albrecht advised the commission to steer clear of site visits and further advised the commission against giving an advisory opinion on other options. He stated that staff could answer the applicants' questions.

Mr. Jenkins asked whether building line of site was from a particular perspective.

Commissioner Wallace explained building site lines. He acknowledged that the orientation of the house made it difficult to fit this pool where the applicants would like to have it, however when they purchased the property they were on constructive notice of where the pool would fit.

VII. Other business

City Code Amendment: C.O. 1153 General Employment – Architectural Changes

Planning Manager Christian explained that this is just a workshop in advance of drafting. At the April 7, 2025 meeting the commission recommended provisions to address the use of advanced fabric structures in TMD areas of the city. Following that, staff wants to be sure there are similar standards throughout the business park. GE/LGE is the largest zoning classification in the business park.

City Code Amendment: C.O. 1144 OCD Office Campus District – Public Recreational Uses

Planning Manager Christian delivered the staff report and explained that staff is seeking a vote.

Chair Kirby asked why the city is changing a class to gain something that is for free in another class.

Planning Manager Christian explained that this would mostly be used for existing office. Existing language allows this as a conditional use and staff is asking for this as a permitted use for OCD.

Chair Kirby stated that this gives the city a way to keep the OCD on the ground rather than do the CF.

Commissioner Larsen asked whether there will be more OCD areas in the city.

Planning Manager Christian answered that theoretically there could be but not sure where they would go.

Commissioner Wallace stated that he had nothing specific regarding the proposal. However, he noted that the existing language in C.O. 1144.02(c) doubles back on itself.

Planning Manager Christian stated that staff will take a look at it.

Commissioner Larsen remarked that he would strike "included but not limited to." He continued that he would also strike swimming pools – not sure how this would work in an office environment.

Chair Kirby stated that the language was likely intended for indoor pools.

Planning Manager Christian agreed and stated that the language could be clarified to state that public outdoor pools are conditional use and indoor pools are permitted.

Commissioner Larsen agreed that the changes were good.

Chair Kirby moved to favorably recommend the proposed changes to 1144 OCD Office Campus District, with the clean up language suggested by the commission. 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. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having five yes votes, the motion passed and the proposed language was favorably recommended with the suggested clean up language.

VIII. Poll members for comment

Chair Kirby polled the members for comment.

Commissioner Wallace stated that he recently drove past 7010 Lambton and he noted that there is no foliage there. He recalled that foliage was a condition of approval of placing the pool in the side yard, and it is not there.

Planning Manager Christian said staff would look at it, he also noted that the property had recently sold.

Commissioner Larsen provided an update on the US-62 Interchange Plan. He stated that MKSK is conducting focus group meetings to dilute the density. He reported that he anticipates that recommendations will be returned in the next 60 days.

IX. Adjournment

Having completed the agenda and having no further business, Chair Kirby adjourned the July 21, 2025 meeting of the planning commission without objection at 8:28 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

Appendix

FPM-51-2025

Staff Report

Record of Action

VAR-52-2025

Staff Report

Applicant Photographs

Record of Action

C.O. 1144 OCD Office Campus District



Community Development Department

Meeting Sign-in Sheet

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**Planning Commission Staff Report
July 21, 2025 Meeting**

**8 HAWKSMOOR DRIVE
FINAL PLAT MODIFICATION**

LOCATION: 8 Hawksmoor Drive (PID: 222-004645-00)
APPLICANT: Curtis Echelberry
REQUEST: Final Plat Modification
ZONING: Hawksmoor I-PUD Zoning District
STRATEGIC PLAN: Residential District
APPLICATION: FPM-51-2025

Review based on application materials received on June 18 and June 26, 2025.

Staff report completed by Lauren Sauter, Planner.

I. REQUEST AND BACKGROUND

The final plat modification, titled “Re-Subdivision of Lot 19 of the Re-Subdivision of Lots 8-11 of Hawksmoor Subdivision,” is proposed for 8 Hawksmoor Drive. The proposal modifies lot 19, formerly lot 8, of the Re-Subdivision of Lots 8-11 (FP-191-2013) for the Hawksmoor subdivision. The proposal includes the following modifications:

- Detail D: Remove (vacate) an existing 0.092-acre tree preservation zone/no-build zone/drainage easement.
- Detail E: Create a new 0.341-acre tree preservation zone/no-build zone/drainage easement.

Additionally, a final plat modification for the lot was approved by the Planning Commission in November 2024 (FPM-81-2024) and City Council in February 2025 (O-04-2025) (hereafter referred to as the “2024 plat modification” or “2024 re-plat”). The proposal included the following modifications:

- Detail A: Remove (vacate) an existing 0.094-acre tree preservation zone/no-build zone/drainage easement.
- Detail B: Create a new 0.050-acre storm sewer easement on the property.
- Detail C: Create a new 0.10-acre tree preservation zone/no-build zone/drainage easement.

Details A, B, and C from the 2024 plat modification are included in the newly proposed modification. All details remain unchanged except for the designation of Detail B, which has been renamed from a storm easement to a drainage easement in accordance with the City Engineer’s comments on the 2024 re-plat.

The lot line for 8 Hawksmoor Drive was adjusted in 2023 (LA-48-2023) to add a 0.557-acre piece of land on the western side of the lot. This portion of land was conveyed to a different property owner at that time and was not included in the previous final plat modification (neither FPM-81-2024 nor O-04-2025). The land was recently conveyed to the same property owner as 8 Hawksmoor Drive and is now included in this final plat modification application.

The proposed final plat modification includes Details A through E and is intended to modify the 2014 subdivision plat. However, because the Planning Commission has previously

reviewed and conditionally approved Details A, B, and C, this staff report will primarily be evaluating Details D and E.

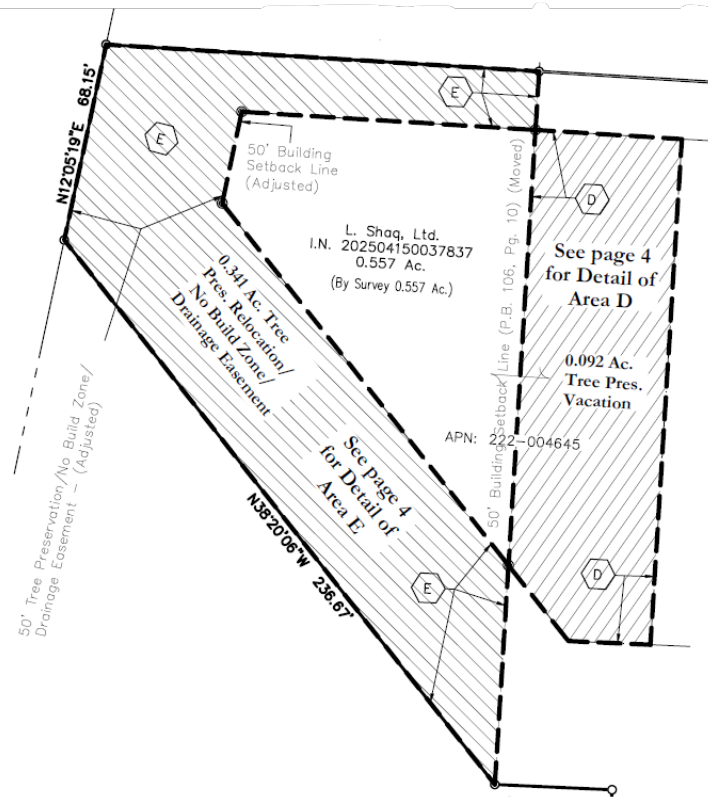
II. SITE DESCRIPTION & USE

The property is located in the Hawksmoor subdivision, which is accessed from State Route 605 just to the east. The property, including the recent 0.557-acre land addition on the western lot line, is 3.849 acres in size and currently contains a single-family home, a detached structure, and a swimming pool. There is a wetland and 100-year flood zone in the southwest portion of the lot that attaches to Crescent Pond to the west. 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 re-plat application proposes the following modifications to lot 19:
 - Detail D: Remove (vacate) an existing 0.092-acre tree preservation zone/no-build zone/drainage easement.
 - Detail E: Create a new 0.341-acre tree preservation zone/no-build zone/drainage easement.



Details D (right) and E (left) on a portion of the proposed final plat modification for Hawksmoor lot 19.

- The new tree preservation zone (Detail E) will comprise a larger area than the tree preservation zone being vacated (Detail D). Given that the tree density appears consistent across both areas and the new preservation zone is larger, it is expected to contain a greater number of trees; thus, a new tree survey was not conducted.
- The existing tree preservation zone/no-build zone/drainage easement (Detail D) is located along the former western lot line of the property. An additional 0.557 acres of land was appended to the lot, and the proposed tree preservation zone/no-build zone/drainage easement (Detail E) is located along the new western lot line.

- Note “C” on the plat states that no improvements of any kind are allowed in the new tree preservation zone/no-build zone/drainage easement. This language is identical to the existing plat except that it does not allow the installation of utilities in this zone.

IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering-related requirements of Code Section 1187.04 and provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #1).

1. 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. 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

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

Move to approve final plat modification application FPM-51-2025 with the following conditions:

1. The city engineer’s comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: NearMap

Z:\24-0011-1098\DWG\PRODUCTION DRAWINGS\SURVEY\24-0011-1098 resub lot 19 fp1 rev 04-25.dwg page 1 Apr 17, 2025 - 10:11:53am dbickham

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, 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-Subdivision of Lots 8-11 of Hawksmoor Subdivision" containing Lot 19a, 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 _____, 2025.

Signed and acknowledged L. Shaq, Ltd.
In the presence of:

Witness By _____
Title _____

Witness

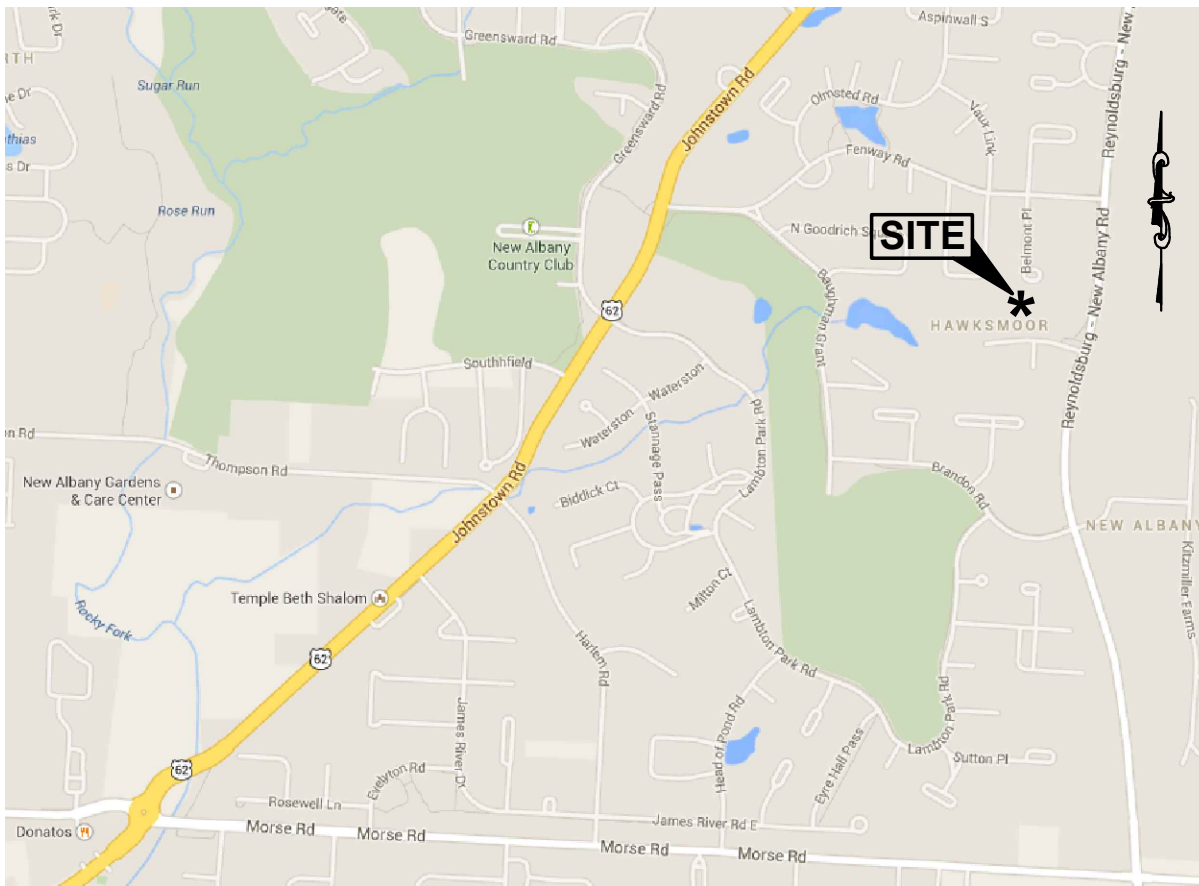
STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared _____, authorized signed of L. Shaq, LTD., who acknowledge the signing the foregoing instrument to be their free and voluntary act and deed and the free and voluntary act and deed of L. Shaq, LTD. for the uses and purposes expressed therein.

Witness Thereof, I have hereunto set my hand and affixed any official seal this _____ day of _____, 2025.

My Commission expires _____
Notary Public, State of Ohio

RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION



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 _____,
2025 Mayor, New Albany, Ohio

Approved this ____ day of _____,
2025 Municipal Engineer, New Albany, Ohio

Approved this ____ day of _____,
2025 Council Representative to Planning
Commission, New Albany, Ohio

Approved this ____ day of _____,
2025 Chairperson, Planning Commission
New Albany, Ohio

Approved this ____ day of _____,
2025 Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. _____, passed _____,
2025 by the Council for the City of New Albany, Ohio. Approval of this plat shall become
null and void unless recorded prior to _____, 2025.

the Council for the City of New Albany, Ohio. Approval of this plat shall

Transferred this ____ day of _____,
Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this ____ day of _____,
_____, 2025 at _____ .M. Recorder, Franklin County, Ohio

Fee \$ _____

File No. _____

Recorded this ____ day of _____,
2025 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.

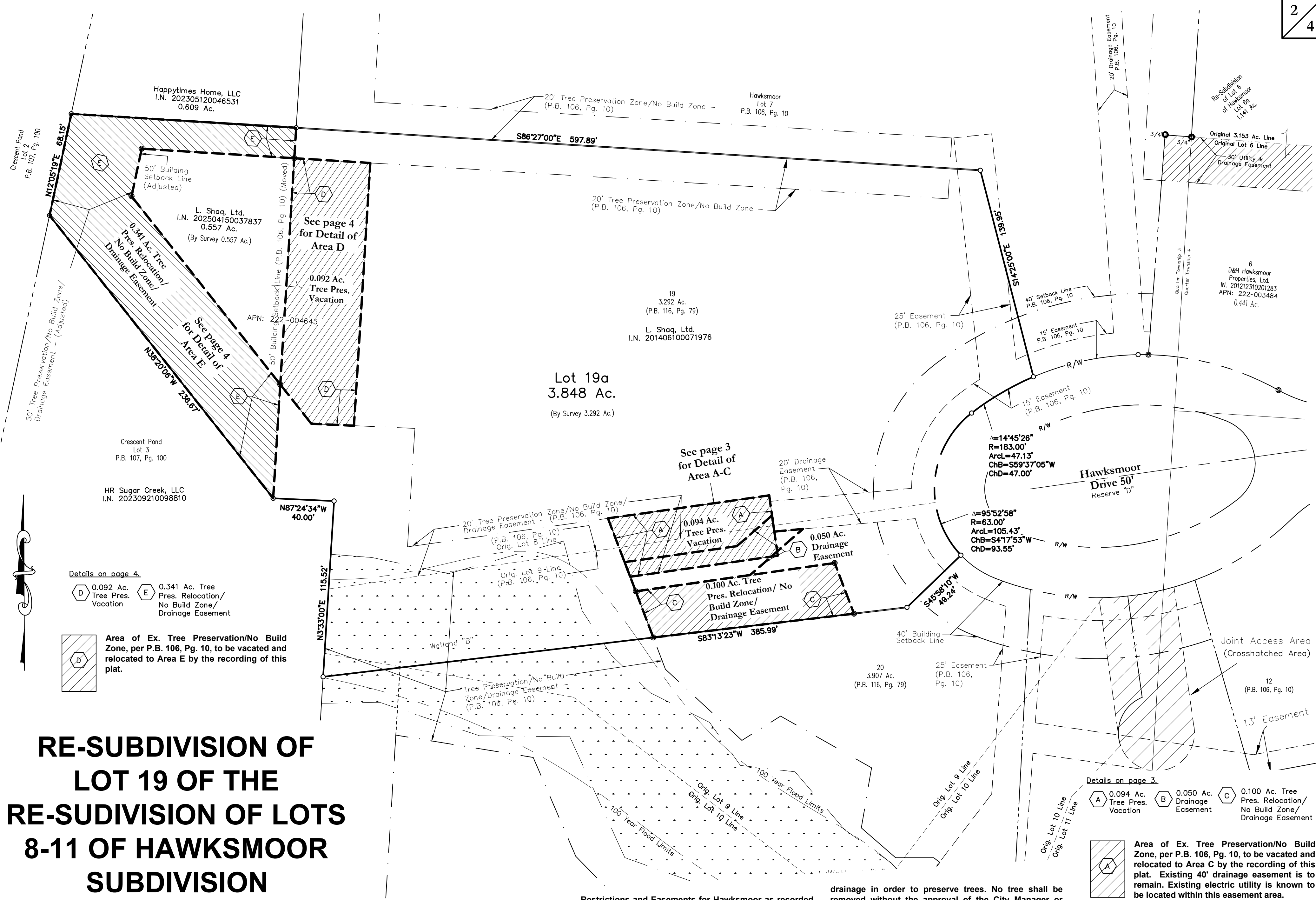
- = Iron Pin Set
- ◎ = Preservation Zone Marker
- = Iron Pin Found
- ✱ = PK Nail Found

By _____
Douglas R. Hock, P.S. 7661

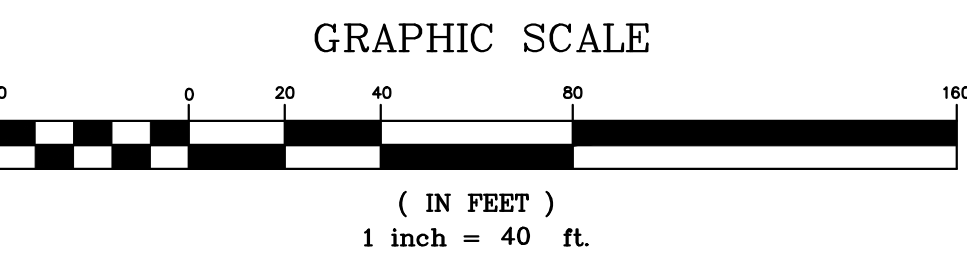


ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755



RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION



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 south and west property line of lot 19a and the north line of lot 20 property line and within lot 19a. Preservation zone markers will be maintained by the homeowner's association. Markers shall be obtained from the City of New Albany.

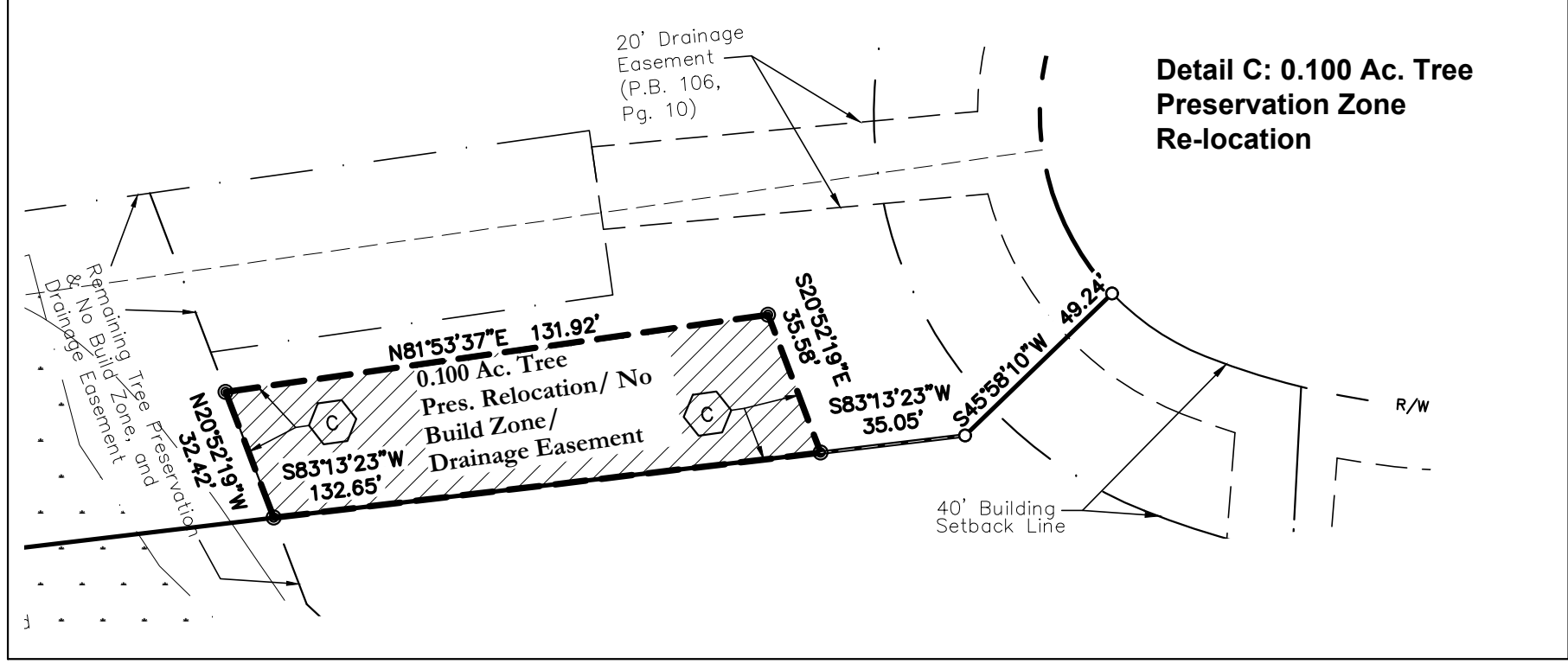
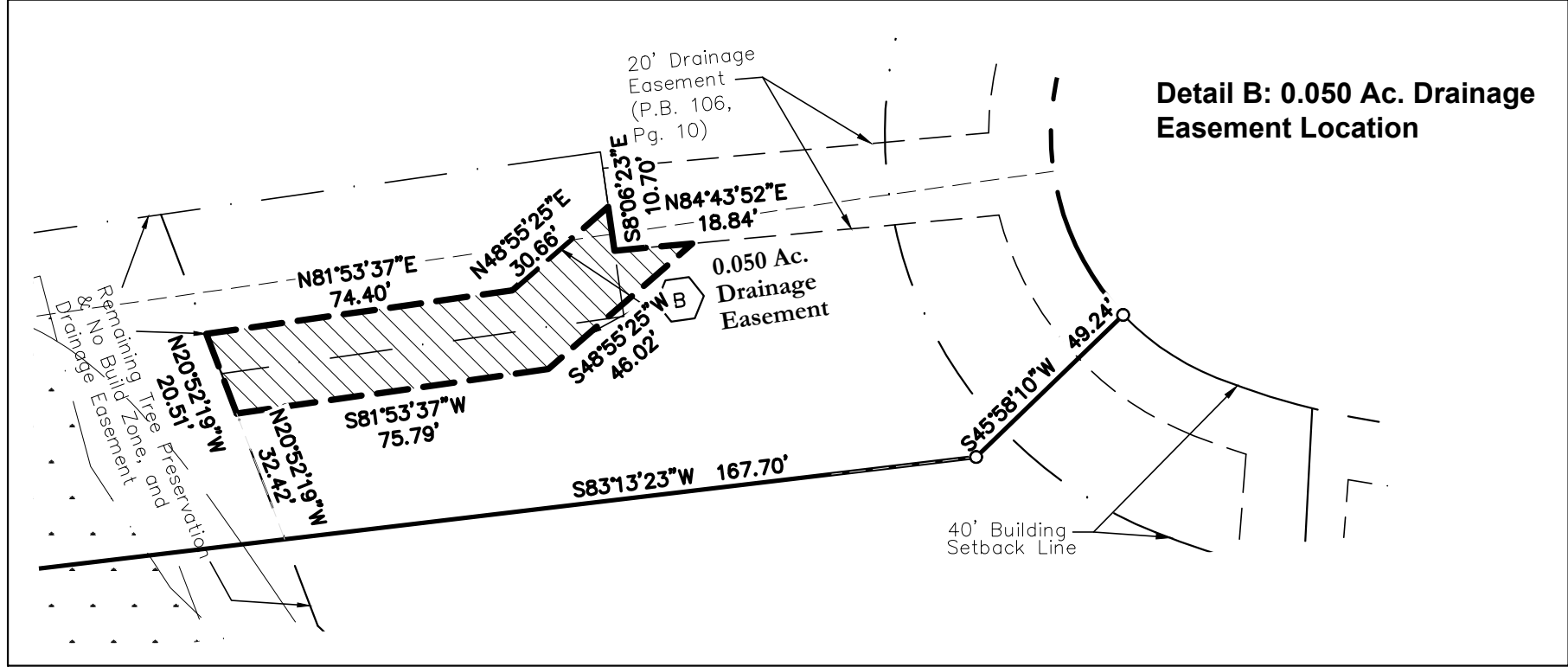
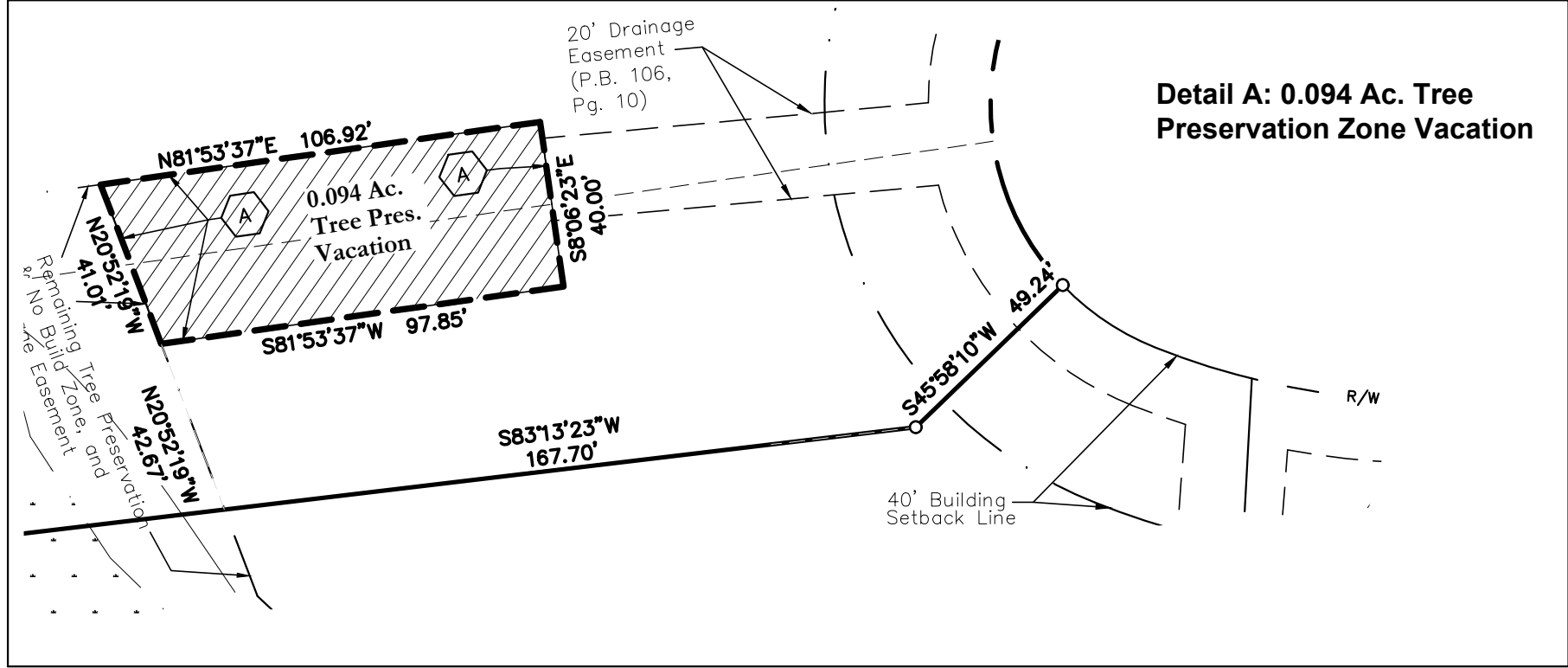
Details on page 3.

A	0.094 Ac. Tree Pres. Vacation	B	0.050 Ac. Drainage Easement	C	0.100 Ac. Tree Pres. Relocation/No Build Zone/Drainage Easement
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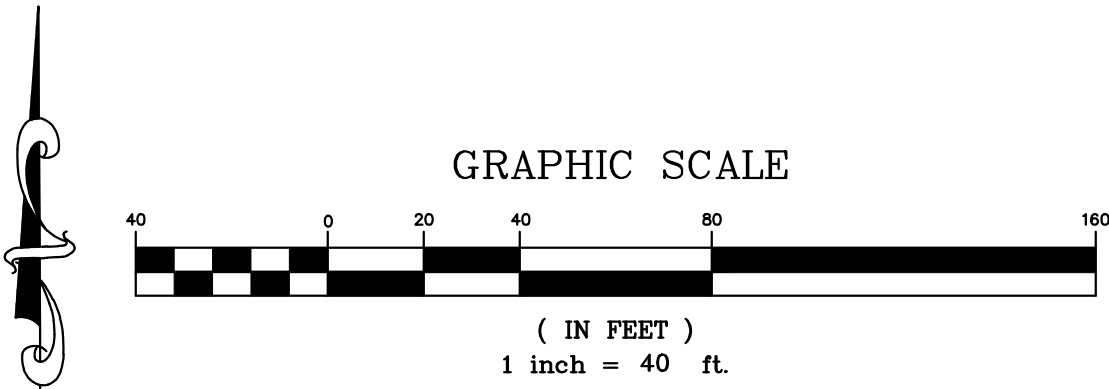
Area of Ex. Tree Preservation/No Build Zone, per P.B. 106, Pg. 10, to be vacated and relocated to Area C by the recording of this plat. Existing 40' drainage easement is to remain. Existing electric utility is known to be located within this easement area.

ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755



RE-SUBDIVISION OF
LOT 19 OF THE
RE-SUDIVISION OF LOTS
8-11 OF HAWKSMOOR
SUBDIVISION



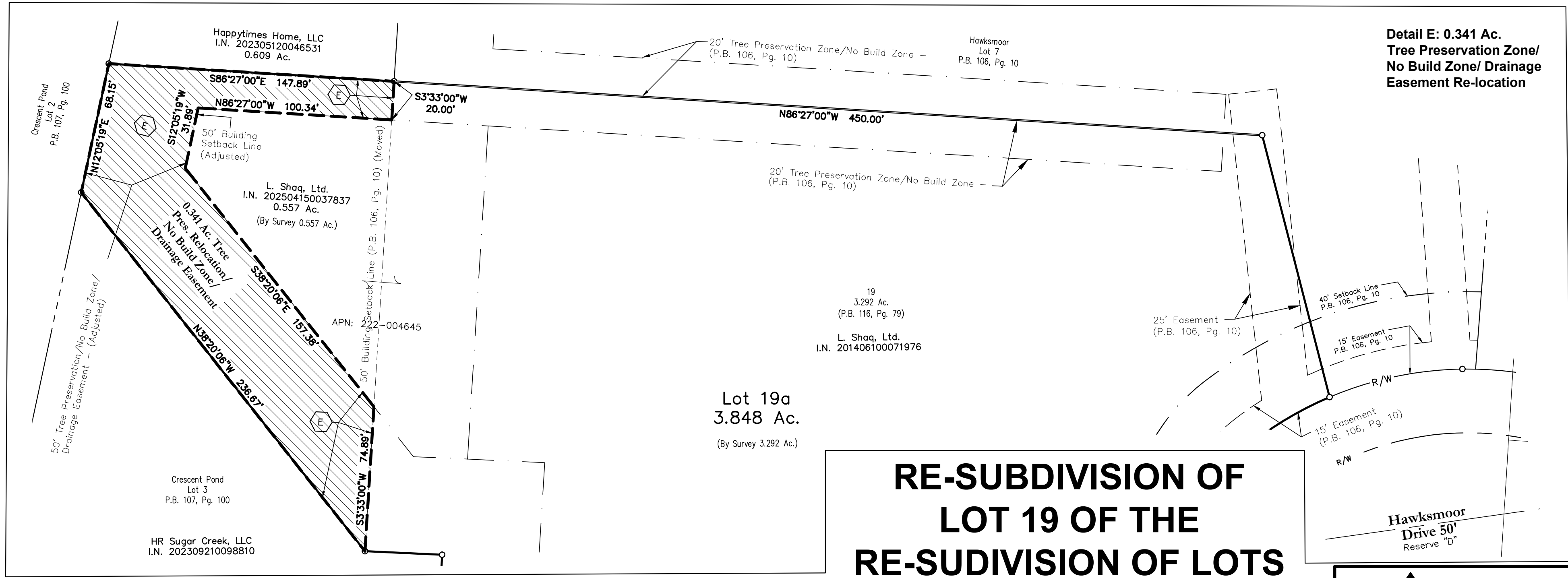
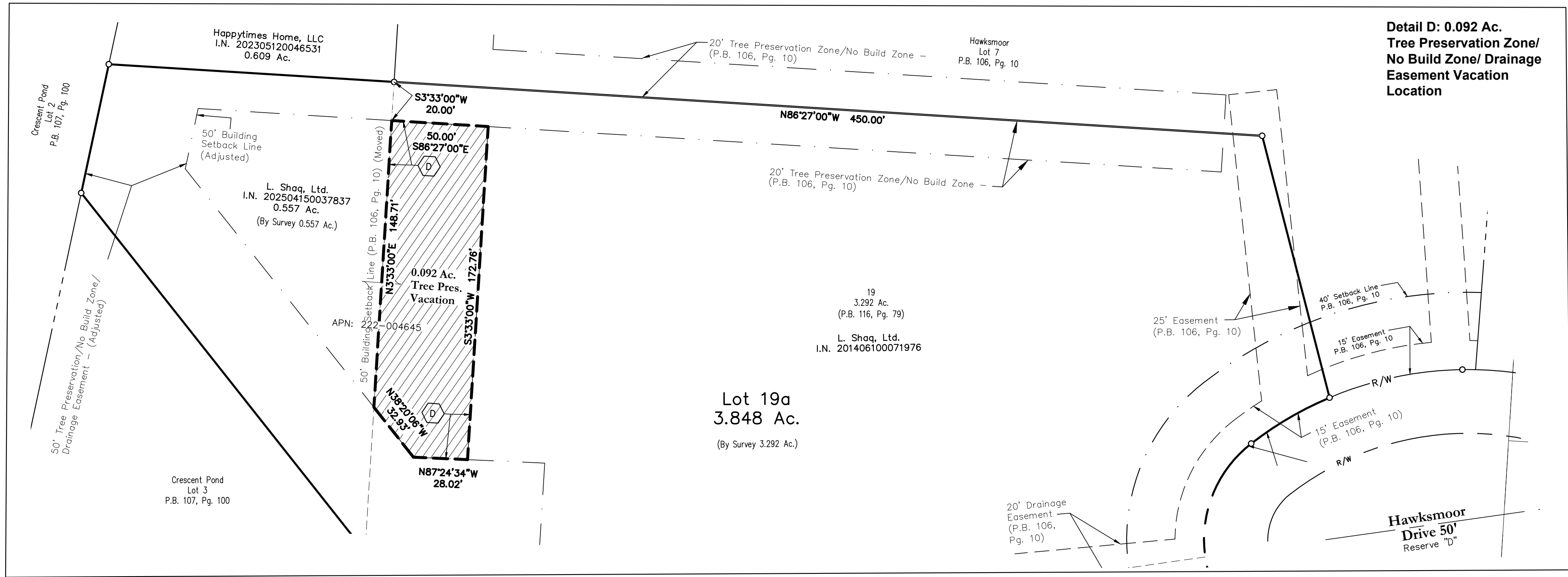
NOTE "E" - Acreage Breakdown:

(Lot 19) I.N. 201406100071976.....	3.292 Acres
I.N. 202504150037837.....	0.557 Acre
Total.....	3.848 Acres

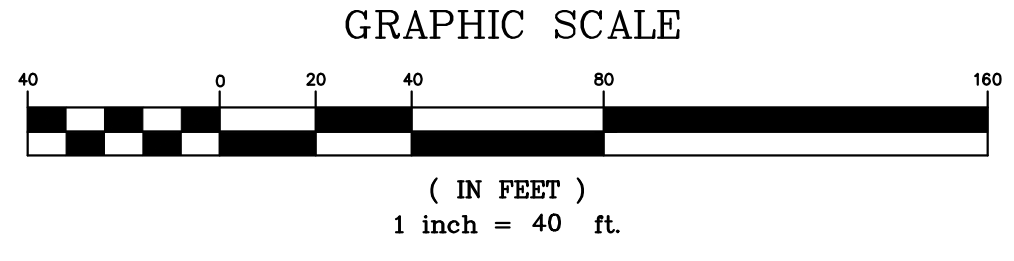


ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

781 Science Boulevard, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755



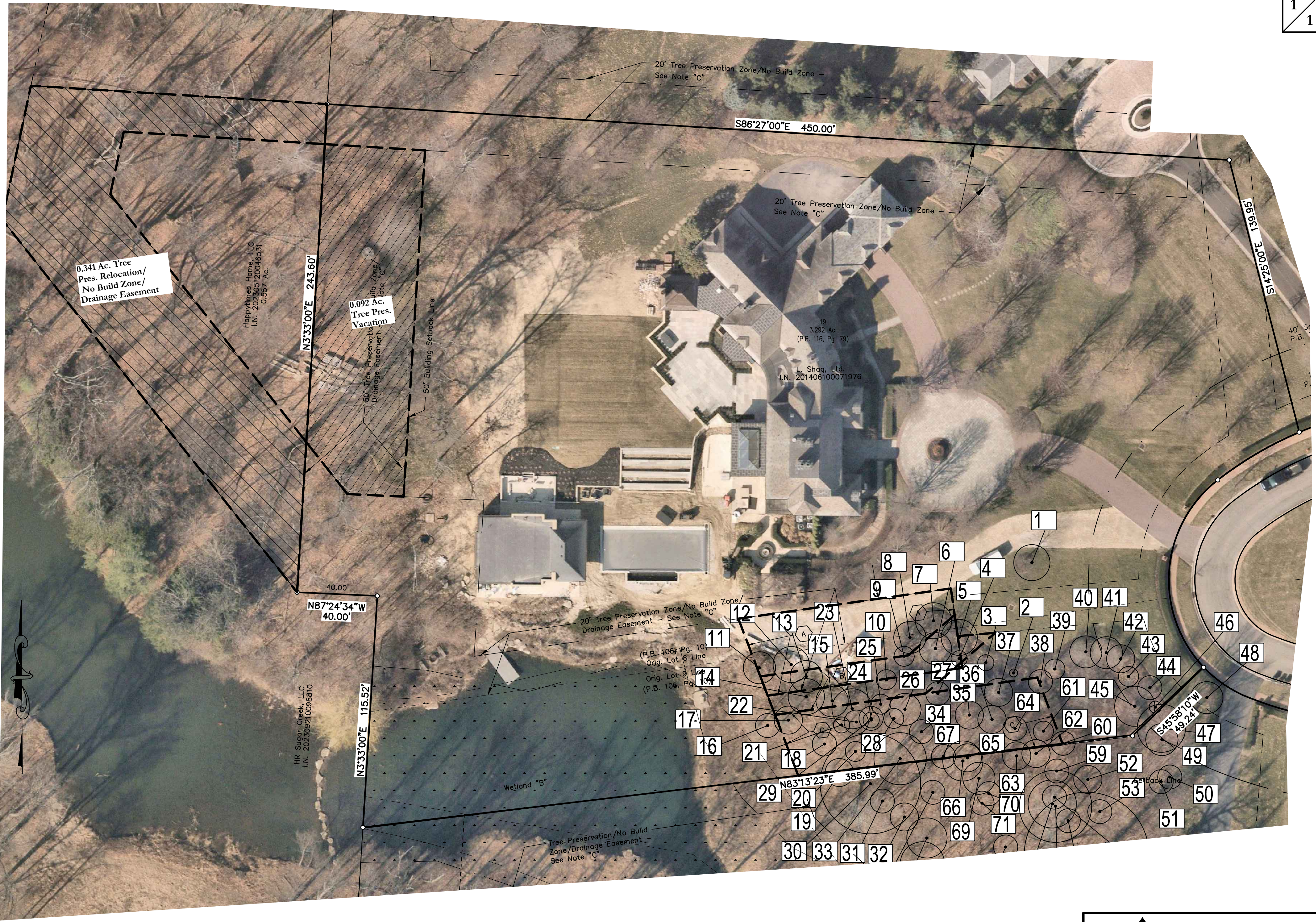
RE-SUBDIVISION OF LOT 19 OF THE RE-SUDIVISION OF LOTS 8-11 OF HAWKSMOOR SUBDIVISION



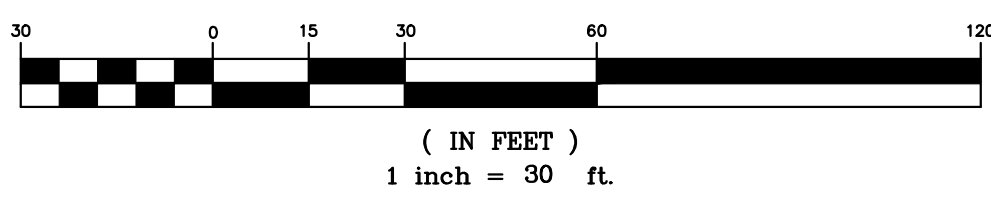
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GRAPHIC SCALE





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Community Development Department

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

Dear Advanced Civil Design, Inc. - Curtis Echelberry,

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.



Community Development Department

Decision and Record of Action

Tuesday, July 22, 2025

The New Albany Planning Commission took the following action on 07/21/2025.

Final Plat Modification

Location: 8 HAWKSMOOR DR

Applicant: Advanced Civil Design, Inc. - Curtis Echelberry

Application: PLFPM20250051

Request: Final plat modification to vacate and create tree preservation zones/drainage easements for Hawksmoor lot 19

Motion: To approve

Commission Vote: Motion Approved with Conditions, 4-1

Result: Final Plat Modification, PLFPM20250051, was Approved with Conditions by a vote of 4-1.

Recorded in the Official Journal this July 22, 2025.

Condition(s) of Approval:

1. The city engineer's comments must be addressed, subject to staff approval.

Staff Certification:

Lauren Sauter

Lauren Sauter
Planner



**Planning Commission Staff Report
July 21, 2025 Meeting**

**21 S EALY CROSSING
POOL VARIANCE**

LOCATION: 21 S Ealy Crossing (PID: 222-004142)
APPLICANT: Julie & Vince Jenkins
REQUEST: (A) Variance to allow a swimming pool not to be fully enclosed by fencing.
(B) Variance to allow a swimming pool to be outside the building line of the site.
ZONING: Ealy Crossing I-PUD (Planned Unit Development District)
STRATEGIC PLAN: Residential
APPLICATION: VAR-52-2025

Review based on: Application materials received on June 19, 2025, and July 6, 2025.

Staff report prepared by Jay Henderson, Planner

I. REQUEST AND BACKGROUND

The applicant is requesting the following variances:

- (A) Variance to Ealy Crossing zoning text Section VI(f)(1) to allow a 160 square foot swimming pool to be covered by only an automatic pool cover, where the text requires fencing to fully enclose the pool.
- (B) Variance to Ealy Crossing zoning text Section VI(f)(1) to allow a swimming pool to be located outside of the building line of the site, where the zoning text requires pools to be located in the rear yard, within the building line of the site.

II. SITE DESCRIPTION & USE

The property is 0.75 acres in size and contains a single-family home. This property is located within the New Albany Country Club Ealy Crossing subdivision and is zoned residential I-PUD. The surrounding properties are residential on all sides. The property contains a 100-foot woodland preservation zone at the rear.

III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standards for granting of a 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 a variance:

All of the factors should be considered and no single factor is dispositive. The key to whether a 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

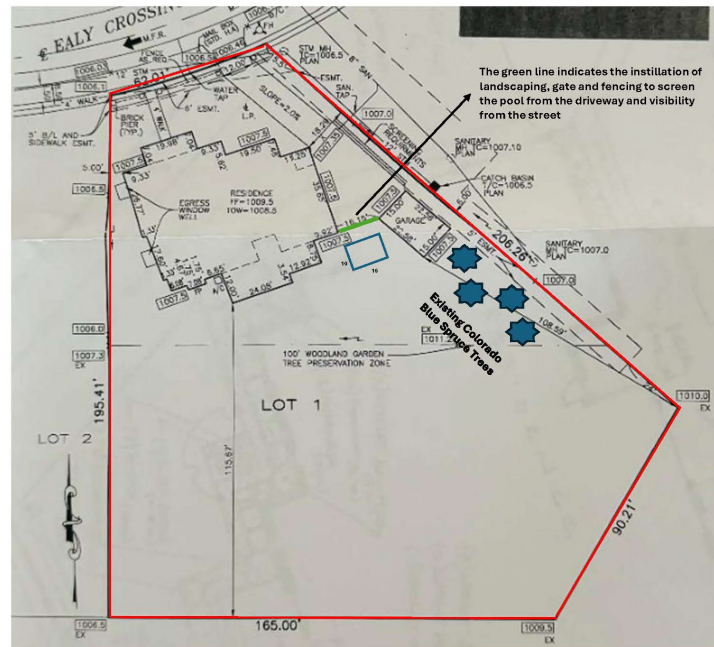
(A) Variance to Ealy Crossing zoning text Section VI(f)(1) to allow a swimming pool to not be fully enclosed by fencing.

The following information should be considered in the Planning Commission’s decision for the requested variance:

1. Ealy Crossing zoning text Section VI(f)(1) requires “All swimming pools/ spas shall be located in the rear yard, within the building line of the site, completely enclosed by fencing and screened from adjoining properties.”
2. The applicant is requesting a variance to allow the installation of a 160-square-foot swimming pool, without being completely enclosed by fencing.
3. All surrounding properties contain single-family residences in proximity. Based on previous cases, the boards have weighed this option heavily in approving this type of variance.
4. While the applicant has indicated plans to implement additional safety measures to limit unauthorized access, these measures do not effectively prevent direct entry into the yard from adjacent properties.
5. The applicant proposes to use an ASTM automatic pool safety cover. This may be similar to previous pool covers that have been previously approved through a variance; however, the Ealy Crossing development text Section VI (f)(1) was intended to regulate pools and spas to be enclosed completely by fencing.

- (B) Variance to Ealy Crossing zoning text Section VI(f)(1) to allow a swimming pool to be located outside of the building line of the site.**

1. Ealy Crossing zoning text Section VI(f)(1) requires “All swimming pools/ spas shall be located in the rear yard, within the building line of the site, completely enclosed by fencing and screened from adjoining properties.”
2. The applicant proposes a 160-square-foot swimming pool located outside the building line of the site in the side yard between the principal structure and detached garage. The applicant provided street view pictures as part of their application materials, and they were included in the board’s packet.



- 25 0721 21 S Ealy Crossing Pool Fence Variance VAR-52-2025

6. It does not appear that the variance would adversely affect the delivery of governmental services or affect the health and safety of people residing or working in the vicinity of the proposed swimming pool location.

V. HISTORY

There have been several similar applications heard by either the Board of Zoning Appeals or the Planning Commission since 2007.

- The BZA denied a variance to allow a pool cover for a residence on 15.6 acres in Illmington in 2007. The BZA cited safety and liability concerns as reasons for denying the variance request.
- The BZA denied a variance to allow a pool cover in 2010 for a home on a 0.5-acre parcel in Fenway. The BZA cited safety and liability concerns as reasons for denying the variance request.
- The BZA approved a variance to allow a pool cover in-lieu of a fence on May 28, 2014 for 14 New Albany Farms Road. The BZA stated the size of the property (19.9 acres), proximity to other parcels and limited access due to private streets creates special conditions and circumstances which are peculiar to the land that results in a general isolation from neighbors. The parcel at 14 New Albany Farms is one of the largest in the gated Farms subdivision resulting in the pool being located a much greater distance from the parcel lines and roads. For this reason, the BZA approved the variance while stating some homes may be too close to each other for only a pool cover alone.
- The BZA approved a variance to allow a pool cover in-lieu of a fence on September 22, 2014 for 6 New Albany Farms Road. The BZA stated this lot having heavy woods on three sides of the property results in a general isolation from neighbors and being within the Farms community which is gated and has private streets creates special conditions and circumstances which are peculiar to the land.
- The PC approved a variance to allow a pool cover in-lieu of a fence that meets code requirements on April 18, 2016 for 6958 Lambton Park Road. Members voting in favor of the variance noted that with conditions of approval the variance preserves the spirit and intent of the zoning ordinance, appears to have limited access due to the private golf course, substantial screening, horse fence, the property's size and lack of neighbors create special circumstances, and having an annually certified pool cover. Members voting against the variance noted this is because there is not a condition requiring code compliant fencing along Johnstown Road and lack of evidence that pool covers have the same safety record as fences, and this is substantial because it affects the health and safety in the community. The conditions of approval were:
 - An automatic safety pool cover installed that is ASTM compliant as and if amended.
 - The pool area is fully enclosed by a house, fence, or wall.
 - The existing 54" and 44" horse fence counts towards the enclosure of the pool.
 - The new fence, installed along the east side of the property adjacent to the neighboring lot that permits single-family residential, must meet the new proposed pool code requirements that the Planning Commission recommended approval of on April 18th.
 - The pool cover is certified annually by the homeowner.
- The PC approved a variance to allow landscaping and pool netting in -lieu of a fence that meets code requirements on October 17, 2016 for 10 and 11 Highgrove. Members voting in favor of the variances noted that with conditions of approval the variance preserves the spirit and intent of the zoning ordinance, appears to have limited access due to the private golf course, substantial screening including a hedgerow to be installed around all sides of the pool, horse fence, the property owners stated the intent is to use the pool net when the pool is not in use with adult supervision, and having an annually certified pool net. Members voting against the variance noted this is because the property would have a reasonable return without the variance, believes variance is substantial, essential character of neighborhood would not change, property owners were aware of the restrictions, original permit showed code complaint fence and was not installed per

approved plan. Finally, the applicant did not prove pool netting is as safe as a fence. The conditions of approval are:

- Landscaping approved by ARC and staff to include original and tonight's submissions.
 - Commitment to install boxwoods or gates at all openings.
 - Pool netting or hard cover ASTM compliant installed at all times when not in use and not attended by a responsible adult.
 - Applicant maintains landscaping and new plantings.
 - The pool netting is certified annually by the homeowners for function.
 - Hard cover installed by 11/1/16 and not removed until in compliance.
 - The applicant provides a copy of the easement to permit homeowner to maintain the fence in the event the NACO does not.
- The PC approved a variance to allow a pool cover for a residence in-lieu of a fence that meets code requirements on May 18, 2020 for 7010 Lambton Park. The applicant proposed to install a 44-inch-high horse fence along the eastern property line which, in addition to a creek and being a heavily wooded area, provided an appropriate barrier to access that matched similar factors for other approved pool fence variances. The presence of a pool cover is also an important factor to ensure safety. In addition, the applicant proposed to install a continuous, uninterrupted 3-4-foot-tall evergreen landscape hedge along the golf course property line where landscaping does not already exist. Staff believed that this additional landscaping served as an appropriate barrier to prevent uncontrolled, access to the pool. With these additional landscaping barriers, the variance preserved the spirit and intent of the zoning ordinance. The conditions of approval are:
 - Applicant maintains landscaping and new plantings.
 - The pool cover is certified annually by the homeowner.
 - The BZA tabled a variance to allow a pool cover for a residence on 6.5 acres in lieu of a fence at 8323 Central College Road in 2022. The basis of the table was the applicant working with staff to figure out alternative measures to provide unimpeded access. The application was later withdrawn by the applicant following the hearing.

VI. SUMMARY

Through several pool barrier variance applications, the Board of Zoning Appeals and the Planning Commission have had to weigh the importance of many factors in coming to decisions on the applications. Some of the factors stated on the record are the proximity of the property to other residences, public accessibility to the property, and the effectiveness of a pool cover in providing safety.

The property in question is located within a dense single-family neighborhood with potential for unauthorized access. The pool's proposed location does not adversely affect the surrounding area as it is heavily wooded at the rear, screening from the detached garage to the east, and the applicant is proposing additional screening to the north.

VIII. ACTION

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

Move to approve variance application VAR-52-2025 based on the findings in the staff report with the following condition(s) of approval:

1. The pool cover must be certified annually by the homeowner.

Approximate Site Location:



Source: NearMap

Revised Variance Request Letter

Owner	JENKINS VINCE M
	JENKINS JULIE B
Owner Mailing /	21 EALY CROSSING S
Contact Address	NEW ALBANY OH 43054
Site (Property) Address	21 S EALY CROSSING
Legal Description	NEW ALBANY COUNTRY CLUB
	SEC 22 EALY CROSS LOT 1
Calculated Acres	.75
Legal Acres	0
Parcel ID: 222-004142-00	Map Routing: 222-N052GI-00200
	21 S EALY CROSSING

This letter is submitted in support of a request for a zoning variances to waive the requirement for a fence around a proposed pool. The proposed installation is a 160-square-foot shallow soaking pool and hot tub—modestly sized and intended for relaxation rather than recreation. This is only slightly larger than the 100-square-foot threshold that typically triggers the fencing requirement.

In accordance with the zoning requirement outlined in the Ealy Crossing development, *Subarea A, Section VI. Architectural Standards: f. Swimming Pool/Spas*: “All swimming pools/spas shall be located in the rear yard, within the building line of the site, completely enclosed by fencing and screened from adjoining properties,” we confirm that the proposed pool will be located entirely within the rear yard and building lines. While we are requesting a variance from the fencing requirement, we will fully comply with the screening requirement. We will implement natural screening consistent with what others in the community have used, ensuring the pool is completely unseen from any line of sight from adjoining properties.

We believe the variances are justified based on several important considerations, most notably the enhanced safety provided by an ASTM-compliant automatic pool cover, which exceeds the effectiveness of traditional fencing.

While the property can still be used for residential purposes without the variance, the addition of a pool significantly enhances its value and usability. Requiring a fence, however, may diminish the aesthetic and functional design intended for the space, limiting its full

Revised Variance Request Letter

potential and reducing the return on investment. Given the modest size of the pool, the impact of the variance is minimal.

The variance is not substantial in nature. The request is limited to waiving the fence requirement while maintaining safety through alternative measures such as an ASTM F1346-compliant automatic pool cover, motion alarms, and secure access points. These alternatives not only meet many safety standards but are often more effective than traditional fencing in preventing unauthorized access. Importantly, these measures do not alter the property's use or structure.

The variance will not alter the essential character of the neighborhood. In fact, it will help preserve the open, cohesive aesthetic of the Ealy Crossing community. The pool will be designed with landscaping and natural screening to maintain visual harmony. No adverse effects are anticipated for adjoining properties, and the open design may even enhance the neighborhood's appeal.

The variance will not interfere with the delivery of government services. Emergency access, utility lines, and public infrastructure will remain unaffected, as shown in the accompanying drawings. The pool area will be clearly marked and accessible for any necessary inspections or emergency response.

At the time of purchase, the property owner was not fully aware of the specific fencing requirement for pools. The intent was always to further develop the property over time by incorporating a friendly, open recreational space. The fencing requirement was discovered during the planning phase, after the purchase.

While a fence could technically be installed, it would conflict with the intended design and the architectural harmony of the neighborhood. Alternative safety measures provide a more effective and aesthetically appropriate solution, making the variance the most reasonable path forward for the current and future property owners and surrounding neighbors.

The spirit of the zoning requirement is to ensure safety and neighborhood integrity. By implementing alternative safety measures, the variance upholds this intent. Granting the variance allows for a safe, attractive, and functional community amenity, thereby achieving substantial justice.

The community of Ealy Crossing is unique within New Albany. Special conditions and circumstances exist that are peculiar to the land and structure involved, as well as surrounding dwellings. This variance request is, in part, intended to maintain the continuity of the Ealy Crossing community through shared architectural alignment. The layout and design promote visual continuity, making fencing uniquely disruptive in this context.

A rote, literal interpretation of the Zoning Ordinance in this case would deprive the applicant of the ability to maintain architectural harmony and enjoy the same design freedoms as others in the district. Other properties may have pools with less restrictive safety requirements or were developed before current codes. Enforcing a literal

Revised Variance Request Letter

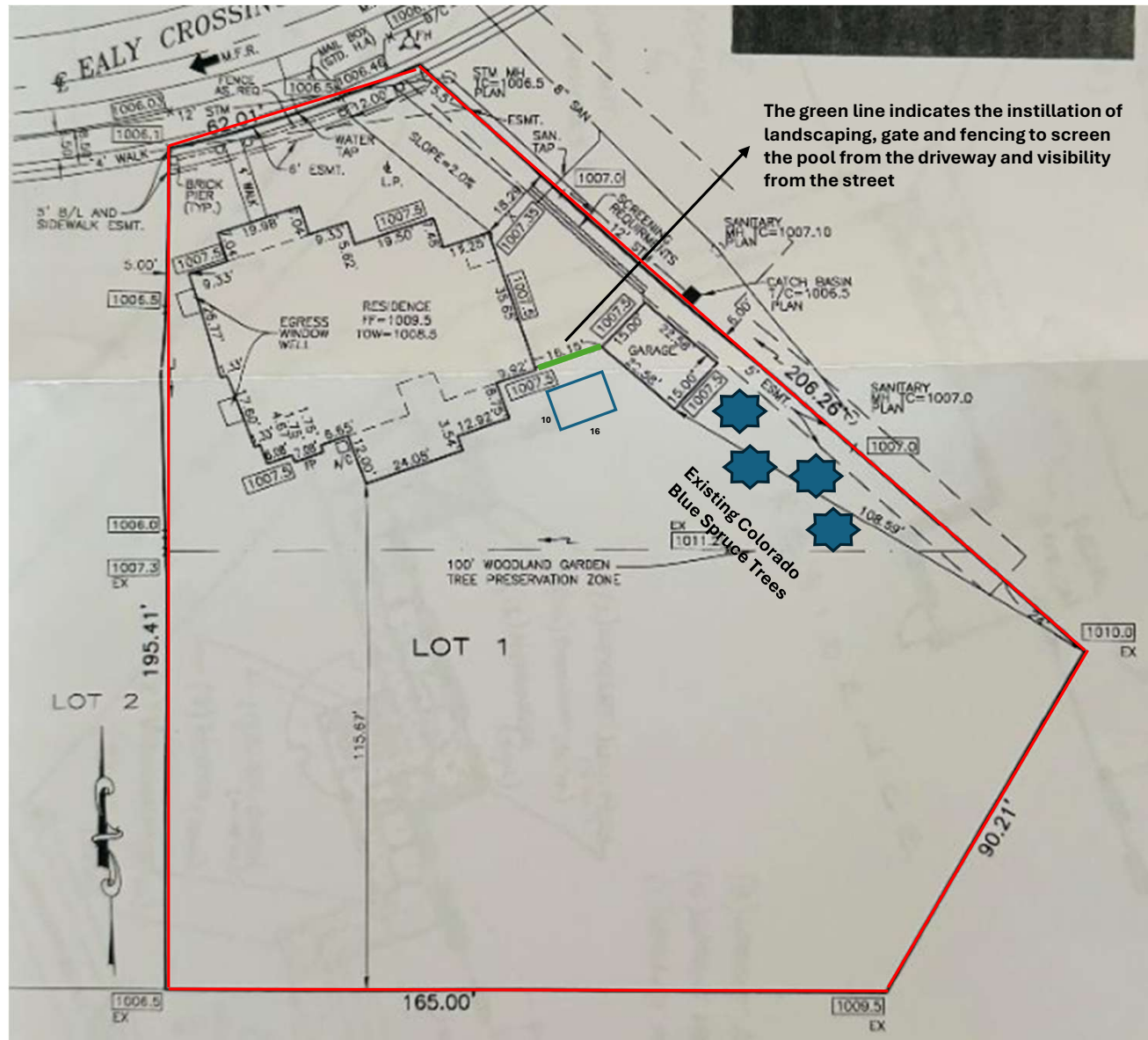
interpretation would create an undue burden and limit the property's use compared to similar developments.

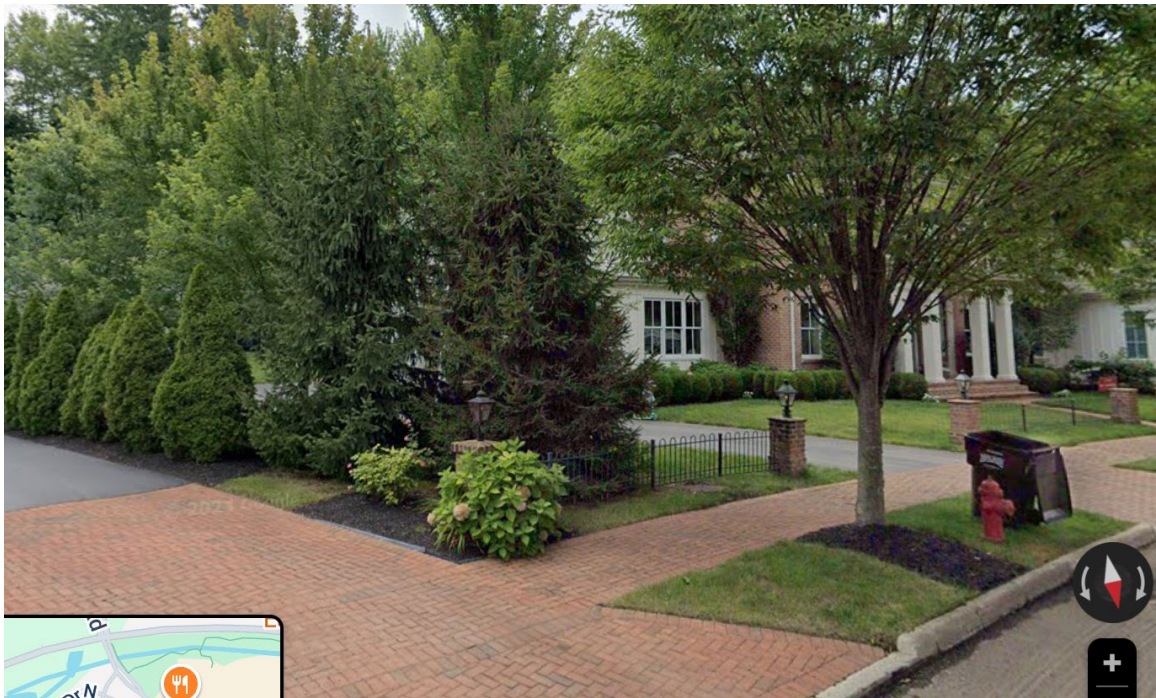
The special conditions and circumstances do not result from the action of the applicant. The need for a variance arises from the property's design and community goals, not from any action or oversight by the applicant.

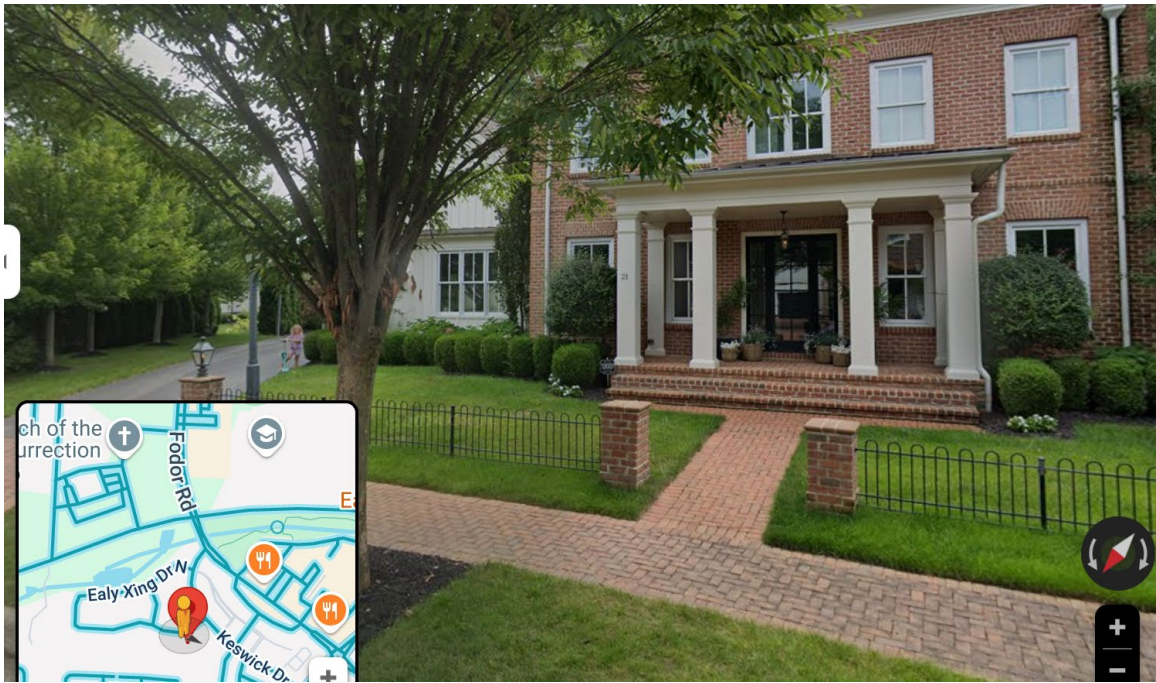
Granting the variance will not confer any special privilege. It simply allows for a reasonable and safe alternative to a standard requirement, consistent with the intent of the zoning code.

With the implementation of alternative safety measures, the variance will not compromise health or safety. According to Pool Guard USA, high-quality pool covers—especially automatic ones—are designed to meet ASTM safety standards and are capable of withstanding the weight of a child or pet, effectively preventing accidental falls. These covers are made from durable materials like UV-stabilized polyethylene, vinyl, or mesh, and offer consistent protection when the pool is not in use. Automatic covers, in particular, offer one-touch operation, making them more likely to be used consistently compared to fences, which can be left open or climbed over. While fences provide a physical barrier, they are not foolproof. In contrast, pool covers eliminate all risk of unintended access when in use, as the pool is completely covered and inaccessible.

We respectfully request that the variance be granted in recognition of the unique conditions of the property, the superior safety measures proposed, and the desire to maintain the architectural integrity of the Ealy Crossing community.







PROPERTY OWNERS WITHIN 200 FEET

Susan Widman

181 Keswick Drive

New Albany, OH

John Fraim

189 Keswick Drive

New Albany, OH

Marcia Kristie

197 Keswick Drive

New Albany, OH

Evan Beane

172 Keswick Drive

New Albany, OH

Aaron Schockett

7714 Ogden Woods Blvd

New Albany, OH

Vickram Marballi

7704 Ogden Woods Blvd

New Albany, OH

Leah Levinson
7694 Ogden Woods Blvd
New Albany, OH

James Riepenhoff
7618 Alpath
New Albany, OH

John McClelland
7626 Alpath Rd
New Albany, OH

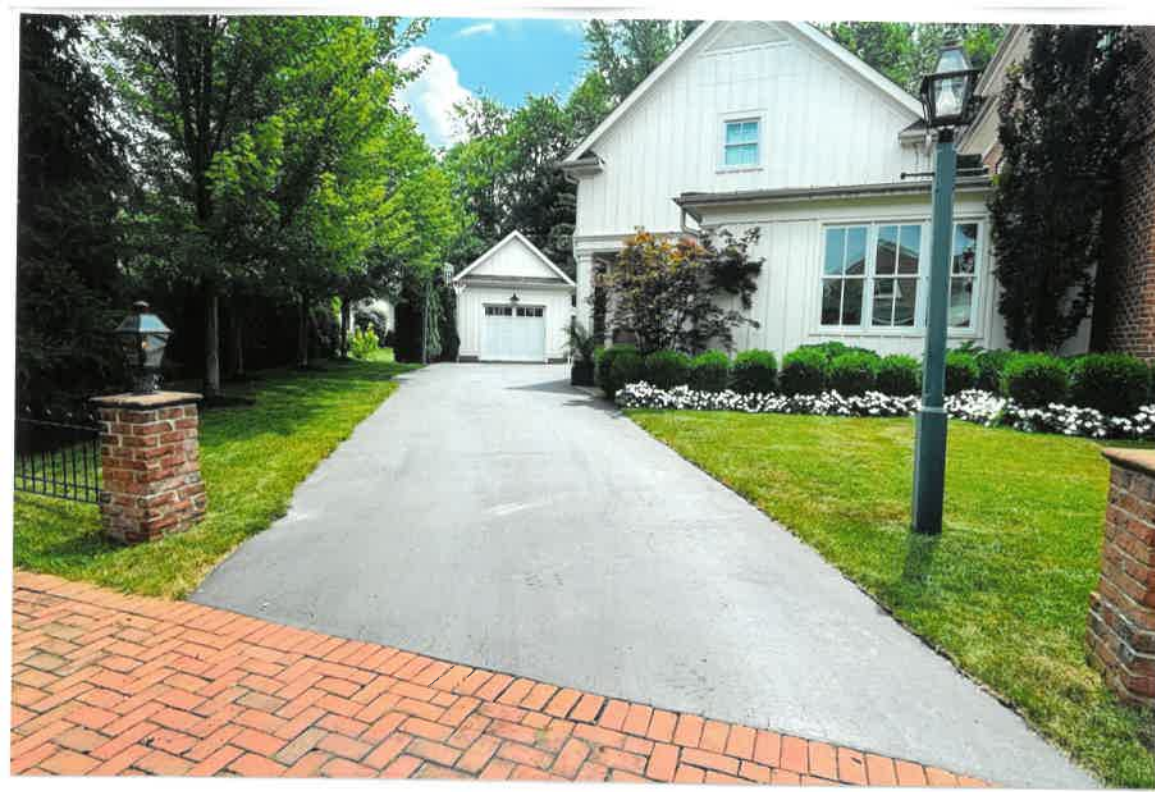
Emily Miller
7610 Alpath Rd
New Albany, OH

Jacob Worley
16 Ealy Crossing S
New Albany, OH

Heath Horning
14 Ealy Crossing S
New Albany, OH

Mark Debellis
19 Ealy Crossing S
New Albany, OH

7/21/25 PC Mtg
Applicant photos





7/21/25 PC

Applicant photos



7/01/25 Applicant photos





Community Development Department

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

Dear Julie & Vince Jenkins,

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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.



Community Development Department

Decision and Record of Action

Tuesday, July 22, 2025

The New Albany Planning Commission took the following action on 07/21/2025 .

Variance

Location: 21 S EALY CROSSING

Applicant: Julie & Vince Jenkins,

Application: PLVARI20250052

Request: Variance to pool fence and location requirements to allow a safety cover on a pool and for a pool to be outside of the building line on a 0.75-acre site located at 21 Ealy Crossing S (PID: 222-004142-00)

Motion: To approve

Commission Vote: Motion Denied,

Result: Variance, PLVARI20250052 was Denied, by a vote of 0-5.
Variance A for pool fence was Denied, by a vote of 0-5
Variance B for pool location was Denied, by a vote of 0-5

Recorded in the Official Journal this July 22, 2025

Condition(s) of Approval: None

Staff Certification:

Jay Henderson
Planner

CHAPTER 1144 - OCD OFFICE CAMPUS DISTRICT^[20]

Footnotes:

--- (20) ---

Cross reference— District established - see P & Z Chap. 1125.01; Off-street parking and loading - see P & Z Chap. 1167; Signs - see P & Z Chap. 1169; Satellite signal receiving antennas - see P & Z Chap. 1177

1144.01 - PURPOSE.

The purpose of the Office Campus District (OCD) is to provide for office **and public recreation** uses to be developed in a "campus setting." Development standards are provided to ensure the compatibility of such **office-campus** uses within the District and with adjacent properties, while still meeting the needs of the **general-office** uses related to traffic, accessibility and visibility. The Office Campus District is intended to accommodate multiple or large acreage users.

(Ord. 82-96. Passed 1-21-97; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07.)

1144.02 - PERMITTED USES.

- (a) Administrative business and professional offices as specified in Sections [1143.02\(a\)](#), (b), and (c).
- (b) General offices and general office buildings designed for leased space, including but not limited to, operational, administrative and executive offices for personnel engaged in general administration, operations, purchasing, accounting, telemarketing, credit card processing, bank processing, other administrative processing, and other similar business activities in accordance with Section [1127.02\(e\)](#) of the Planning and Zoning Code.
- (c) Uses located in building where the primary use in the building is permitted in divisions (a) or (b) shall include the following, when such use is clearly incidental to and located within the same building as the primary permitted use:
 - (1) Drug Store.
 - (2) Deli/Restaurant/Food Service.
 - (3) Office Supply and Service.
 - (4) Travel Agent.
 - (5) Personal Services such as Barber/Beauty Salons, Dry Cleaning Pickup Station, ATM, and Health Offices.
 - (6) Newsstand.
 - (7) Health and Fitness Center.
 - (8) Training Facility.
 - (9) Storage Facilities.
 - (10) Day Care Facility.
 - (11) Other similar uses in accordance with Section [1127.02\(e\)](#) of the Planning and Zoning Code.
- (d) Religious exercise facilities and related uses.
- (e) Temporary parking lots in accordance with [Chapter 1167](#) of the Planning and Zoning Code.

- (f) A park-and-ride facility providing daily parking as the principle use which may include accessory shelters for mass transit passengers or carpooling that typically includes parking lots and associated structures located along or near public transit routes.
- (g) Data Centers.
- (h) Indoor and outdoor public recreational facilities, including but not limited to parks, recreational fields, health and fitness centers, training facilities, concessions stands, playgrounds, nature preserves, swimming pools, and similar facilities, not including such facilities developed for private use. Administrative and maintenance structures, scoreboards, and signs, that are associated with indoor and outdoor public recreation facilities shall be also permitted within this zoning district.

(Ord. 82-96. Passed 1-21-97; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. [O-15-2013](#). Passed 6-4-13; Ord. [O-07-2015](#). Passed 3-3-15.)

1144.03 - CONDITIONAL USES.

The following uses shall be allowed in the Office Campus District (OCD), subject to approval in accordance with [Chapter 1115](#), Conditional Uses:

- (a) Drive-through facilities to be developed in association with a permitted use.
- (b) Research facility for research, analysis, and development, which can be characterized as clean, non-hazardous and light use, and activities incidental or necessary to the conduct of such research, analysis, and development.
- (c) Miscellaneous accessory uses when the primary use of the building is permitted in Section [1144.02](#)(a) or (b), such as show room, distribution, repair shop, light assembly and similar ancillary uses.
- (d) Hotel/Motel including conference and banquet facilities.
- (e) Limited educational institutions offering educational courses and having no rooms regularly used for housing or sleeping of students, as well as ancillary uses typical of that found on a school campus including, but not limited to, parking lots, signs, gymnasiums, auditoriums, cafeterias, and administrative offices; ~~and indoor or outdoor recreational facilities~~. Limited educational institutions include:
 - (1) Secondary schools.
 - (2) Higher education institutions including junior colleges, community colleges, colleges, and universities.

(Ord. 82-96. Passed 1-21-97; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. [O-03-2022](#). Passed 3-1-22.)

1144.04 - DEVELOPMENT STANDARDS.

- (a) Minimum Lot Area. No minimum lot areas required, however, the lot size shall be adequate to provide for on-site parking/loading and yard requirements.

- (b) Minimum Lot Width. No minimum lot width is required, however, all lots shall abut a publicly dedicated and improved street or highway, and shall have adequate width to provide for yard space requirements pursuant to this section.
- (c) Minimum Front Yard Depth. Fifty-five (55) feet except fences, gate houses, entry features and ancillary structures shall be allowed in the front yard setback when approved by the **Community Development Director or their designee. Development Standards Review Committee.**
- (d) Minimum Side Yard Width. Fifteen (15) feet to any paved area and thirty (30) feet to any structure.
- (e) Minimum Rear Yard Depth. Twenty (20) feet to any paved area and forty (40) feet to any structure.
- (f) Lot Coverage. The total lot coverage, which includes all areas of parking and building coverage, shall not exceed 80% of the total lot area.
- (g) Maximum Building Height. Sixty-five (65) feet, except an increased height may be approved by the Planning Commission upon a showing that the height of the building is harmonious and in accordance with the general objectives, or with any specific objectives or purpose, of the Zoning Ordinance.
- (h) Parking and Loading.
 - (1) Except as otherwise provided herein, parking and loading requirements shall be as specified in [Chapter 1167](#). Parking spaces shall be designated to allow a minimum of five (5) feet between any structure and any parked vehicle. ~~Seventy-five to ninety (75—90) degree angle parking shall have a minimum width (measured in feet parallel to the aisle) of nine (9) feet and a minimum length of eighteen (18) feet with a twenty four (24) foot wide maneuvering aisle. One loading space shall be provided per dock space.~~
 - (2) Where appropriate, adequate provisions shall be made for the use of public transportation by employees and visitors.
 - (3) All entry drives shall be coordinated with improvements in road rights-of-way and with landscaping within the site.
 - (4) Indoor and Outdoor Recreational Facilities: In instances where compliance with the off-street parking and loading space requirements of Chapter 1167 may impede the purpose of this zoning district, the number of required parking and loading spaces may be adjusted, provided such adjustments are substantiated by evidence-based standards. Such adjustments shall be subject to review and approval by the Community Development Director or their designee.
- (i) Service Areas and Dumpsters. All service areas including loading docks, exterior storage of materials, supplies, equipment or products and trash containers shall be screened from all public roads and/or adjacent properties at ground level with walls or landscaping. Any walls shall be of the same materials used on the building walls and shall be complemented with landscaping.
- (j) Signage. Signage standards shall comply with those delineated in [Chapter 1169](#). However, the sign area for a wall or free standing sign may be one square foot of sign (as measured in [Section 1169.06](#)) per one thousand (1,000) square feet of usable floor space but shall not exceed a maximum sign area of one hundred twenty (120) square feet per side. A building less than thirty-two thousand (32,000) square feet usable floor space may have a sign of thirty-two (32) square feet per side. Signs shall be located so that no part of the sign shall protrude beyond the wall on which it is located. The use of neon roof mounted and internally illuminated signs is prohibited.

- (k) Satellite Signal Receiving Antennas. Roof mounted dish antennas shall be permitted as an accessory use to permitted uses in this District, and upon application for installation of a satellite signal receiving antenna, it shall be reviewed for safety, compatibility with surrounding development, and for other design measures that screen or otherwise make the dish antenna appear less obtrusive. Otherwise, the standards set forth in [Chapter 1177](#) shall apply to the placement of satellite signal receiving antennas.
- (l) Utilities. All utility lines including water supply, sanitary sewer service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. Meters, transformers, etc. may be placed above ground, but must be clustered and screened from view. To the extent possible utility line placement shall be sensitive to existing vegetation.
- (m) Mechanical Equipment. Any external mechanical equipment shall be totally screened from all public roads and/or adjacent properties from ground level with materials that are similar to or the same as used on the majority of the building or if screened by landscaping the landscaping shall provide one hundred percent (100%) opacity. This section includes rooftop equipment, satellite dishes (excluding communication devices where technically impracticable), as well as ground mounted equipment. The screening of the mechanical equipment shall be coordinated with the rest of the architecture so as to avoid being seen as an "add on".
- (n) Lighting.
- (1) All external lighting shall be cut off type fixtures and down cast to reduce "spillage".
 - (2) All types of parking, pedestrian and other lighting fixtures shall be of the same type and style and shall be wall mounted cut-off fixtures or located on poles having a maximum height of thirty (30) feet.
 - (3) Luminaries should have a minimum cut-off of forty-five (45) degrees, so as to provide glare control to pedestrian and vehicular traffic, as well as a distinct beam cut-off on the outer perimeter of the setback areas.
 - (4) All light poles and standards shall be in dark color.
 - (5) Landscape uplighting from a concealed source shall be permitted. All upright fixtures must be screened by landscaping.
 - (6) No permanent colored lights or neon lights shall be used when visible from the exterior of the building. Flood lighting of buildings is prohibited, except that accent lighting, from a concealed source, is permitted. Nothing in this subsection shall prohibit lighting required for employee security
- (o) Architecture. As part of the plans, ~~submitted pursuant to Division (q)~~, front, rear and side building elevations shall be shown indicating building material color and height. The following elements shall be considered:
- (1) Materials, texture and color compatibility.
 - A. Earth tones, muted and natural tones are permitted. Brighter hues are permitted only as accent features (such as awnings, doors, limited trim, etc.).
 - B. Materials: Brick, precast wall panels, stone, concrete, coated metals and woods are permitted. Other materials may be permitted, but are subject to approval for intent and compatibility. All glass or highly reflective buildings (or buildings that appear as such), prefabricated metal or untreated masonry block buildings are not permitted.
 - (2) Signage with relationship to the building and building facade.

(p) Landscaping. Landscaping shall follow the guidelines herein established except that incidental modifications may be approved by the **Community Development Director, or their designee** ~~Development Standards Review Committee~~. The developer may also deviate from the landscape guidelines if an alternate landscape plan is approved by the Planning Commission.

- (1) Areas not developed may remain in their natural state or may be used for agriculture purposes, otherwise all undeveloped areas shall be maintained at a maximum of eighteen (18) inch field height and provide an appearance of rural character.
- (2) Pond(s) which are located within the setback areas shall be designed and landscaped to be rural in character.
- (3) Side lot landscaping shall be planted with a mixture of deciduous shade trees and evergreen trees and shrubs. Five (5) trees shall be planted per one hundred (100) L.F. of side lot and one deciduous shrub per tree. All side lot areas not landscaped shall have grass (seed or sod).
- (4) Interior landscaping within parking areas shall be a minimum of five percent (5%) of the total area of the parking lot pavement. The landscaped areas shall be arranged in such a manner so as to visually break up large expanses of pavement and provide landscaped walking paths between parking lots and the main buildings.
- (5) Shrubbery should be Native Deciduous Shrubs and shall be a minimum size of thirty (30) inches height at installation.
- (6) The minimum tree size at installation shall be as follows:

Perimeter Ornamental Tree	2" caliper
Perimeter Deciduous Shade Tree	2"—3" caliper
Perimeter Evergreen Tree	6'—8' tall
Parking lot Ornamental Tree	2" caliper
Parking lot Deciduous Shade Tree	2" caliper
Parking lot Evergreen Tree	4' tall

- (7) No existing trees within the undeveloped areas shall be removed or destroyed unless they are shown to be diseased, interfere with utilities, or are part of a development plan.
- (8) Street areas shall be landscaped and maintained in accordance with Section [1171.04](#).
- (9) Where a required side yard abuts any district where a residence is a permitted use landscaping in accordance with Section [1171.05](#) shall be provided.

~~(q) Development Standards Review Committee. The Development Standards Review Committee shall, prior to the issuance of any permits, approve all plans and elevations necessary to demonstrate compliance to the development standards established for the Office Campus District. Within thirty five (35) days of submission of plans the Committee shall issue a statement of compliance or noncompliance with the development standards established for this District. The Committee shall be comprised of the following persons or their designee:~~

~~Administrator~~

~~Municipal Planner~~

~~Chief Building Official~~

~~Municipal Engineer~~

(Ord. 82-96. Passed 1-21-97; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07.)