



LIBERTY
TOWNSHIP * FOUNDED 1808

10104 Brewster Lane, Suite 125, Powell, OH 43065
Zoning Office 740-938-2010 Fax 740-938-2001
www.libertytp.org

**APPLICATION FOR
DEVELOPMENT PLAN
VARIATION**

FILE DPV# 21-22 DATE: 5/4/21 05-18-21

FEES: \$600.00 RECEIPT # OK 140656

CURRENT ZONING DISTRICT PRD CURRENT DEVELOPMENT PLAN Final Development Clark Shaw Reserve

SUBJECT PROPERTY	ADDRESS: <u>3318 Hyatts Road (ID #: 419-340-02-019-001)</u>
	CITY/STATE/ZIP: <u>Powell, OH 43065</u>
	SUBDIVISION: <u>N/A Clark Shaw Reserve</u> LOT #: <u>N/A</u> ACRES: <u>+/- 42.786</u>
	CURRENT ZONING DISTRICT: <u>PR</u> CURRENT USE: <u>VACANT- ZONED PR</u>
	RANGE: <u>19</u> TOWNSHIP: <u>4</u> SECTION: <u>3</u> FARM LOT(S)#: <u>35,38</u>

CURRENT PROPERTY OWNER(S)	NAME: <u>ROCKFORD HOMES INC</u>
	ADDRESS: <u>1252 GOSHEN PIKE</u>
	CITY/STATE/ZIP: <u>MILFORD OH 45150</u>
	TELEPHONE: <u>614-785-0015</u>
	EMAIL ADDRESS: <u>CTHEUERKAUF@ROCKFORDHOMES.NET</u>

VARIATION(S) REQUESTED	Final Plan Revisions
	1. To allow zoning permits from Township and building permits from County to be issued for construction of permanent entrance signage and associated foundations, columns and associated foundations, dry laid stone walls, grading, electric service and landscape, (the entry feature) for the entrance at Hyatts Road and Gretsche Drive, prior to platting of subdivision.

SIGNATURES	The undersigned certifies that this application (both sides) and the attachments thereto contain all information required by the Liberty Township Zoning Resolution, that all information contained herein is true and accurate and is submitted to induce the requested zoning change, and agrees to be bound by the provisions of the Zoning Resolution of Liberty Township, Delaware County, OH. The undersigned also gives Liberty Township permission to place signage on subject property to announce hearings.	
	PROPERTY OWNER: <u>[Signature]</u>	DATE: <u>5/4/21</u>
	PROPERTY OWNER: _____	DATE: _____
	DEVELOPER: _____	DATE: _____

RECEIVED BY: Jacey Mullenbach DATE: 05-18-21

PLEASE COMPLETE BOTH SIDES

The Liberty Township Zoning Resolution and Comprehensive Plan are available for review at the Zoning Office or you may download them from the Township's website: www.libertytwp.org

Note: The initial application fee covers one hearing. If additional hearings are requested by the applicant, additional fees will be charged in accordance with the adopted fee schedule, and are payable before the next hearing will be scheduled.

SUBMITTAL REQUIREMENTS	<p>Fees AND one(1) completed original application form AND the following arranged into ten (10) packets:</p> <ol style="list-style-type: none">1) Legal description of subject property in both text and map form.2) List of all owners of property within, contiguous to, directly across the street from, and within two hundred feet (200') of the perimeter boundaries of subject property, and their current mailing addresses.3) All drawings/plans must be measureable to the scale as listed on the document.4) Association or Developer approval, if applicable <p>*You may also include any supporting documentation.</p>
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CONTACT INFORMATION	<p>The Liberty Township Zoning Secretary will contact you or your designated representative in order to schedule your hearing. Please provide the following information:</p> <p>Contact Person: <u>Corey Theuerkauf</u></p> <p>Email Address: <u>ctheuerkauf@rockfordhomes.net</u></p> <p>Telephone: <u>614-785-0015</u></p> <p>Mailing Address: <u>999 Polaris Parkway, Suite 200, Columbus, Ohio 43240</u></p>
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Please make sure all required information is provided. Incomplete applications will not be accepted.

OFFICE USE ONLY	<p>Will be heard by: <input type="checkbox"/> Board of Zoning Appeals <input checked="" type="checkbox"/> Zoning Commission</p> <p>Date of Hearing: <u>06-16-21</u></p>
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Faris Planning & Design, LLC

Landscape Architecture
243 North 5th Street
Columbus, OH
p(614)487-1964

Land Planning
Suite 401
43215

www.farisplanninganddesign.com

May 17, 2021

Attn: Tracey Mullenhour, Liberty Township Zoning Department

From: Todd Faris, Faris Planning & Design

The applicant requests that the entrance feature for Clarkshaw Reserve subdivision be allowed to be installed and constructed prior to platting of the subdivision. Rockford Homes is not ready to start their portion of the property and has not finished or filed a plat, so no permits can be granted unless a divergence is allowed for the permits to be issued prior to platting.

Epcon Communities will build this entrance feature for Rockford Homes, finalizing the entire entrance are off Hyatts Road.

PULTE HOMES OF OHIO LLC
475 METRO PLACE
DUBLIN OH 43017

CLARKSHAW RESERVE I LLC
470 OLDE WORTHINGTON RD
WESTERVILLE OH 43082

CAROLYN EDWARDS
2917 CLARK-SHAW RD
POWELL OH 43065

MICHAEL TZAGOURNIS &
VALLERY TRUSTEES
HYATTS RD
POWELL OH 43065

LIBERTY GRAND LLC
2 EASTON OVAL
COLUMBUS OH 43219

SCOTT & KATHY BAUDER
2855 SHOEMAKER RD
DELAWARE OH 43015

CHRISTY & ANDREW TURNER
3484 HYATTS RD
POWELL OH 43065

HYATTS FARM
HYATTS RD
POWELL OH 43065

JASHVANTLAL & BELA
THAKKAR
HYATTS RD
POWELL OH 43065

GORDON SEESE &
JANET DICKEY
3505 HYATTS RD
POWELL OH 43065

SCOTT & MELISSA TURNER
3468 HYATTS RD
POWELL OH 43065

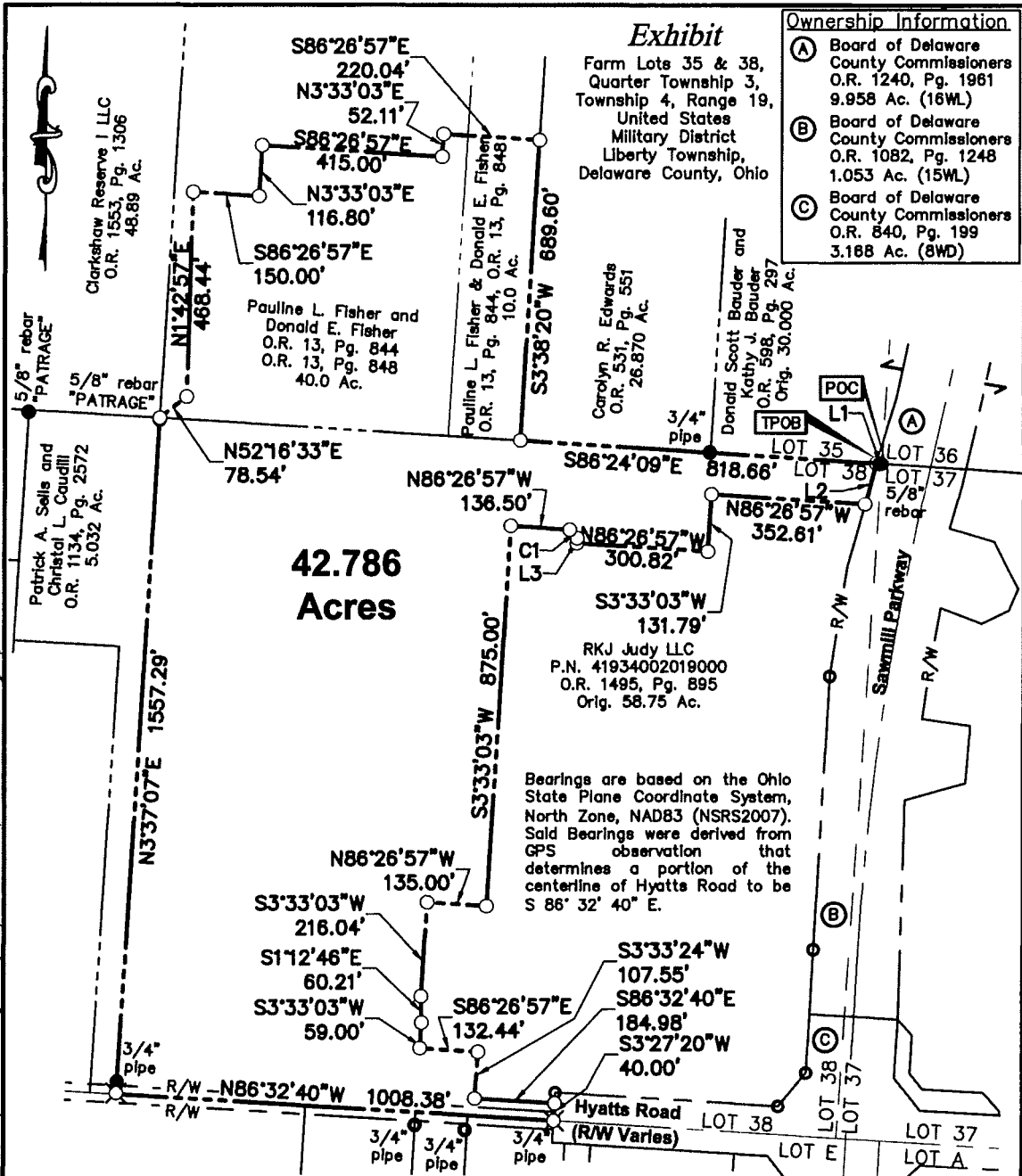
PATRICK SELLS &
CHRISTAL CAUDILL
3460 HYATTS RD
POWELL OH 43065

EPCON HYATTS LLC
3290 HYATTS RD
POWELL OH 43065

J & TERESA MCCRORY
6022 LUDWIG STREET
POWELL OH 43065

W & TERI LYNN THACKER
6014 LUDWIG STREET
POWELL OH 43065

Z:\18-0134-128\DWG\PRODUCTION DRAWINGS\SURVEY\Split for Section of Plat\18-0134-128 Split Section 2.dwg 8.5 by 14 portrait Jul 06, 2018 - 9:27:43am phelps



Exhibit

Farm Lots 35 & 38,
Quarter Township 3,
Township 4, Range 19,
United States
Military District
Liberty Township,
Delaware County, Ohio

Ownership Information

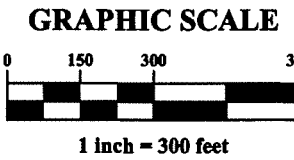
- (A) Board of Delaware County Commissioners O.R. 1240, Pg. 1961 9.958 Ac. (16WL)
- (B) Board of Delaware County Commissioners O.R. 1082, Pg. 1248 1.053 Ac. (15WL)
- (C) Board of Delaware County Commissioners O.R. 840, Pg. 199 3.188 Ac. (8WD)

42.786 Acres

Bearings are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (NSRS2007). Said Bearings were derived from GPS observation that determines a portion of the centerline of Hyatts Road to be S 86° 32' 40" E.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	90°00'00"	18.50'	29.06'	N41°26'57"W	26.16'

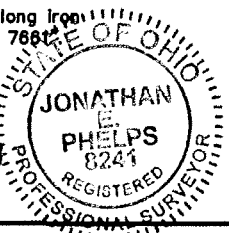
LINE TABLE		
LINE	DISTANCE	BEARING
L1	12.84'	N86°14'52"W
L2	97.11'	S14°55'55"W
L3	11.50'	N03°33'03"E



- LEGEND**
- Iron Pin Found
 - Iron Pipe Found
 - ✕ MagNail Found
 - ▲ RR Spike Found
 - Ⓜ Monument Box
 - Iron Pin Set
 - ✕ MagNail Set
 - △ RR Spike Set

All Iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed "Advanced 7684".
This Survey is based on existing records from Delaware County, and from actual field survey work.

ADVANCED CIVIL DESIGN INC.
Jonathan E. Phelps
Reg. No. 8241
Date 7/6/18



DRAWN BY: JEP JOB NO.: 18-0159-128
DATE: 07/06/2018 CHECKED BY: JEP

ADVANCED CIVIL DESIGN
422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7780
fax 614.428.7785
SURVEYORS

LEGAL DESCRIPTION
42.786 ACRES

Situated in the State of Ohio, County of Delaware, Township of Liberty, being in Farm Lots 35 and 38, Quarter Township 3, Township 4, Range 19 in the United States Military District, and also being part of the remainder of a 58.75 acre tract as conveyed to RKJ Judy LLC in Official Record 1495, page 895, part of a 40.0 acre tract and part of a 10.0 acre tract as both conveyed to Pauline L. Fisher and Donald E. Fisher in Official Record 13, Page 844 and Official Record 13, Page 848 as being further described as follows;

Commencing an iron pin set at the northeast corner of said Farm Lot 38, the southeast corner of Farm Lot 35, the southwest corner of Farm Lot 36, the northwest corner Farm Lot 37, being in the south line of a 9.958 acre tract (16WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1240, Page 1961, the north line of a 1.053 acre tract (15WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1082, Page 1248;

Thence with the south line of said Farm Lot 35, the north line of said Farm Lot 38, the south line of said 9.958 acre and the north line of said 1.053 acre tract, **N 86° 14' 52" W, 12.84 feet** to the northeast corner of the remainder of said 58.75 acre tract, an angle point in the south line of the remainder of a 30.000 acre tract as conveyed to Donald Scott Bauder and Kathy J. Bauder in Official Record 598, page 297, being in the westerly right of way line of Sawmill Parkway (R/W Varies) and also being the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence with the east line of the remainder of said 58.75 acre tract, the west line of said 1.053 acre tract and the westerly right of way line of Sawmill Parkway, **S 14° 55' 55" W, 97.11 feet** to an iron pin set;

Thence across the remainder of said 58.75 acre tract the following fourteen (14) courses:

1. **N 86° 26' 57" W, 352.61 feet** to an iron pin set;
2. **S 03° 33' 03" W, 131.79 feet** to an iron pin set;
3. **N 86° 26' 57" W, 300.82 feet** to an iron pin set;
4. **N 03° 33' 03" E, 11.50 feet** to an iron pin set;
5. Along a curve to the left, having a central angle of **90° 00' 00"**, a radius of **18.50 feet**, an arc length of **29.06 feet**, and chord bearing and distance of **N 41° 26' 57" W, 26.16 feet** to an iron pin set;
6. **N 86° 26' 57" W, 136.50 feet** to an iron pin set;
7. **S 03° 33' 03" W, 875.00 feet** to an iron pin set;
8. **N 86° 26' 57" W, 135.00 feet** to an iron pin set;
9. **S 03° 33' 03" W, 216.04 feet** to an iron pin set;
10. **S 01° 12' 46" E, 60.21 feet** to an iron pin set;
11. **S 03° 33' 03" W, 59.00 feet** to an iron pin set;
12. **S 86° 26' 57" E, 132.44 feet** to an iron pin set;
13. **S 03° 33' 24" W, 107.55 feet** to an iron pin set;
14. **S 86° 32' 40" E, 184.98 feet** to an iron pin set in the west line of a 3.168 acre tract (8WD) as conveyed to the Board of Delaware County Commissioners in Official Record 840, Page 199 and the westerly right of way line of Sawmill Parkway;

RESCRIPTION FOR CLGS AND OIL
 F-C Approval Required
 Municipal Approval Required
Delaware County Engineer

7-13-18

Thence with the west line of said 3.168 acre tract, the westerly right of way line of Sawmill Parkway and the east line of the remainder of said 58.75 acre tract, **S 03° 27' 20" W, 40.00 feet** to a magnail set at angle point in the south line of said 58.75 acre tract and being in the centerline of Hyatts Road (R/W Varies);

Thence with the south line of the remainder of said 58.75 acre tract and the centerline of Hyatts Road, **N 86° 32' 40" W, 1008.38 feet** to a magnail set at the southwest corner of the remainder of said 58.75 acre tract and the southeast corner of a 5.032 acre tract as conveyed to Patrick A. Sells and Christal L. Caudill in Official Record 1134, Page 2572;

Thence with the west line of the remainder of said 58.75 acre tract and the east line of said 5.032 acre tract, **N 03° 37' 07" E, 1557.29 feet** to an iron pin set at the northwest corner of the remainder of said 58.75 acre tract, the northeast corner of said 5.032 acre tract, the southwest corner of said 40.0 acre tract, the southeast corner of a 48.89 acre tract as conveyed to Clarkshaw Reserve I LLC in Official Record 1553, Page 1306;

Thence across said 40.0 acre tract the following six (6) courses:

1. **N 52° 16' 33" E, 78.54 feet** to an iron pin set;
2. **N 01° 42' 57" E, 468.44 feet** to an iron pin set;
3. **S 86° 26' 57" E, 150.00 feet** to an iron pin set;
4. **N 03° 33' 03" E, 116.80 feet** to an iron pin set;
5. **S 86° 26' 57" E, 415.00 feet** to an iron pin set;
6. **N 03° 33' 03" E, 52.11 feet** to an iron pin set;

Thence across said 40.0 acre tract and said 10.0 acre tract, **S 86° 26' 57" E, 220.04 feet** to an iron pin set in the east line of said 10.0 acre tract and the west line of a 26.870 acre tract as conveyed to Carolyn R. Edwards in Official Record 531, Page 551;

Thence with the east line of said 10.0 acre tract and the west line of said 26.870 acre tract, **S 03° 38' 20" W, 689.60 feet** to an iron pin set at the southeast corner of said 10.0 acre tract and the southwest corner of said 26.870 acre tract and being in the north line of the remainder of said 58.75 acre tract;

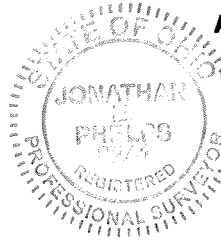
Thence with the north line of the remainder of said 58.75 acre tract, the south line of said 26.870 acre tract and the south line of the remainder of said 30.000 acre tract, **S 86° 24' 09" E, 818.66 feet** to the **TRUE POINT OF BEGINNING**, containing **42.786 acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. and is based on existing records and an actual field survey by Advanced Civil Design in November of 2016. A drawing of the above description has been prepared and is a part hereof.

Iron pins set are 3/4" diameter iron pipe, 30" long and capped Advanced 7661.

Bearings are based on the Ohio State Plane Coordinated System, North Zone, NAD83 (NSRS2007). Said bearings were derived from GPS observation that determines a portion of the centerline of Hyatts Road to be S 86° 32' 40" E.

All references used in this description can be found at the Recorder's Office, Delaware County, Ohio.



ADVANCED CIVIL DESIGN, INC.

Jonathan Phelps 7/13/18

Jonathan E. Phelps
Registration Number 8241

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