



**LIBERTY**  
TOWNSHIP • FOUNDED 1818

2845 Home Rd., Powell, OH 43065 Zoning Office  
740-938-2010 Fax 740-938-2001 www.libertytp.org

APPLICATION FOR  
**DEVELOPMENT PLAN  
VARIATION**

FILE DPV# 24-03 DATE: 1-5-24

FEES: \$600.00 RECEIPT # #1003 pd

CURRENT ZONING DISTRICT Article 18D POD

CURRENT DEVELOPMENT PLAN CHK # 0626642

<b>SUBJECT PROPERTY</b>	ADDRESS: <u>2808 Hyatts Road</u>
	CITY/STATE/ZIP: <u>Powell / Ohio / 43065</u>
	SUBDIVISION: <u>Clarkshaw Crossing</u> LOT #: <u>N/A</u> ACRES: <u>132.52</u>
	CURRENT ZONING DISTRICT: <u>Article 18D POD</u> CURRENT USE: <u>Agriculture</u>
	RANGE: <u>19</u> TOWNSHIP: <u>84</u> SECTION: <u>3</u> FARM LOT(S)#: <u>37</u>

<b>CURRENT PROPERTY OWNER(S)</b>	NAME: <u>CLARKSHAW SAWMILL HOLDINGS LLC</u>
	ADDRESS: <u>2808 HYATTS ROAD</u>
	CITY/STATE/ZIP: <u>POWELL / OHIO / 43065</u>
	TELEPHONE: <u>614-206-0823</u>
	EMAIL ADDRESS: <u>jthomasjr@drkmetro.com</u>

<b>VARIATION(S) REQUESTED</b>	<u>SEE SUMMARY OF CHANGES MEMO FOR 5 VARIATION REQUESTS.</u>
	<u>SEE EXHIBIT A FOR GRAPHIC DEPICTION OF VARIATION REQUESTS</u>
	<u>SEE APPROVED FINAL DEVELOPMENT PLAN EXHIBIT FOR REFERENCE</u>
	<u>SEE REVISED FINAL DEVELOPMENT PLAN EXHIBIT</u>

<b>SIGNATURES</b>	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.	
	<b>Clarkshaw Sawmill Holdings LLC by Kenney Asset Management III LLC</b>	
	PROPERTY OWNER: <u>Manager by Francine E Meyers Action Manager</u>	DATE: <u>1/3/2024</u>
	PROPERTY OWNER: <u>Francine E Meyers</u>	DATE: _____
DEVELOPER: <u>Jack Kent / M/I Homes</u>	DATE: <u>1/4/2024</u>	

RECEIVED BY: MPTC Johnson DATE: 1-5-24

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](http://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.

<b>SUBMITTAL REQUIREMENTS</b>	<p>Fees AND one (1) completed <b>original application</b> form AND the following arranged into six (6) packets:</p> <ol style="list-style-type: none"><li>1) Legal description of subject property in both text and map form.</li><li>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.</li><li>3) All drawings/plans must be measureable to the scale as listed on the document.</li><li>4) Association or Developer approval, if applicable</li></ol> <p>You may also include any supporting documentation.</p>
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<b>CONTACT INFORMATION</b>	<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>Joel West</u></p> <p>Email Address: <u>jwest@mihomes.com</u></p> <p>Telephone: <u>614-418-8307</u></p> <p>Mailing Address: <u>4131 Worth Avenue, Suite 310, Columbus, Ohio 43219</u></p>
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Please make sure all required information is provided. Incomplete applications will not be accepted.

<b>OFFICE USE ONLY</b>	<p>Will be heard by: <input type="checkbox"/> Board of Zoning Appeals <input checked="" type="checkbox"/> Zoning Commission</p> <p>Date of Hearing: <u>2-21-24</u></p>
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Engineers, Surveyors, Planners, Scientists

December 27, 2023

Since the Final Development Plan was approved in October, 2022 there have been a few changes. See below a brief summary as well as Exhibit A attached to this summary that graphically illustrates the changes.

#### **SUMMARY OF CHANGES:**

1. The Townhomes in Subareas C-2 and E-2 were originally planned to be on their own platted lot, accessible via private streets. The current plan is to locate the townhomes on private streets; however, not on an individual platted lot. The location, street alignment, amount of townhomes, as well as subarea density, has not changed from the approved Final Development Plan. Slight changes to the surrounding open space areas as well as pond configuration have changed and are illustrated on Exhibit A.
2. The roadway configuration on the south end of the site has changed. Poplar Ridge Road has been eliminated, Valleydale Road extends to Hyatts without a stop condition. Whereas on the approved Final Development Plan, Poplar Ridge Road connected Hyatts Road to the future development on the Ohio Health Site to the west, and Valleydale Road would stop at Poplar Ridge Road. Delaware County prefers the current roadway design where traffic to/from Clarkshaw Crossing does not stop.
3. An additional stormwater management basin has been added in Reserve D, between Subareas C-1 and E-1, and the basin in Reserve I, between Subareas C-2 and E-2, has been reduced. We learned after the Final Development Plan was approved that stormwater management basins can not be located within the overhead powerline easement; resulting in two smaller basins rather than one larger one.
4. Some minor lot shifts have occurred between the approved Final Development Plan and final engineering. These are illustrated on Exhibit A. The shifts are the result of utility lines and compliance with Delaware County Engineer's drainage requirements.
5. Slight adjustments to the size of the reserve areas and open space dedication. See Exhibit A. The overall cumulative effect of the reserve adjustments resulted in 71.9 acres of Open Space dedication compared to 70.2 acres listed on the Approved Final Development Plan.

**ZONING EXHIBIT**  
**132.52 ACRES**

Situated in the State of Ohio, County of Delaware, Township of Liberty, in Farm Lots 29, 36, and 37, Quarter Township 3, Township 4, Range 19, United States Military District, being comprised of part of the following tracts of land: that 30.000 acre tract conveyed to Donald Scott Bauder and Kathy J. Bauder by deed of record in Official Record 598, Page 297, and those tracts conveyed to A & S Holding Company, Ltd. by deed of record in Official Record 1506, Page 1508, and all of those tracts conveyed to R. Andrew Curmode, Successor Trustee, by deed of record in Official Record 1969, Page 1503 (all references are to the records of the Recorder's Office, Delaware County, Ohio) and more particularly bounded and described as follows:

Beginning at the northeasterly corner of that 1.162 acre tract conveyed to Michael D. Susi and Kerree T. Susi by deed of record in Official Record 1499, Page 2756, in the southerly right of way line of Clark-Shaw Road;

Thence with the said southerly right of way line the following courses and distances:

North 85° 15' 55" East, a distance of 76.16 feet to a point;

North 03° 24' 12" East, a distance of 9.97 feet to a point; and

South 86° 32' 50" East, a distance of 434.48 feet to a point;

Thence the following courses and distances:

South 03° 10' 54" West, a distance of 714.73 feet to a point;

South 86° 24' 31" East, a distance of 295.19 feet to a point;

South 03° 16' 54" West, a distance of 834.12 feet to a point; and

South 86° 48' 59" East, a distance of 564.37 feet to a point in the westerly right of way line of the CSX Railroad;

Thence South 03° 26' 31" West, with said railroad right of way, a distance of 2113.31 feet to a point;

Thence the following courses and distances:

North 87° 03' 51" West, a distance of 202.27 feet to a point;

South 03° 29' 15" West, a distance of 150.01 feet to a point;

North 86° 57' 53" West, a distance of 135.44 feet to a point; and

South 03° 26' 29" West, a distance of 362.34 feet to a point in the northerly right of way line of Hyatts Road;

Thence North 86° 48' 45" West, with said northerly right of way line, a distance of 945.03 feet to a point;

Thence the following courses and distances:

North 03° 40' 44" East, a distance of 457.00 feet to a point;

North 86° 43' 40" West, a distance of 412.04 feet to a point;

North 03° 21' 50" East, a distance of 1081.70 feet to a point; and

**132.52 ACRES**

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North 86° 44' 23" West, a distance of 495.97 feet to a point in the easterly right of way line of Sawmill Parkway;

Thence with said easterly right of way line the following courses and distances:

North 12° 50' 27" East, a distance of 762.43 feet to a point of curvature to the left; and

With the arc of said curve, having a central angle of 11° 55' 36", a radius of 3024.71 feet, an arc length of 629.62 feet, a chord bearing of North 06° 48' 51" East and chord distance of 628.48 feet to a point;

Thence the following courses and distances:

South 86° 00' 35" East, a distance of 427.07 feet to a point;

North 03° 59' 25" East, a distance of 93.89 feet to a point of curvature to the right;

With the arc of said curve, having a central angle of 193° 30' 50", a radius of 56.50 feet, an arc length of 190.83 feet, a chord bearing of North 03° 59' 25" East and chord distance of 112.22 feet to a point;

North 03° 59' 25" East, a distance of 143.89 feet to a point;

South 86° 00' 35" East, a distance of 357.00 feet to a point;

North 03° 59' 25" East, a distance of 194.04 feet to a point;

North 12° 12' 19" West, a distance of 116.88 feet to a point;

North 78° 34' 56" East, a distance of 180.51 feet to a point;

With the arc of a curve to the left, having a central angle of 42° 00' 45", a radius of 320.00 feet, an arc length of 234.64 feet, a chord bearing of North 41° 24' 47" West and chord distance of 229.42 feet to a point;

North 27° 34' 50" East, a distance of 60.00 feet to a point;

With the arc of a curve to the left, having a central angle of 22° 11' 24", a radius of 380.00 feet, an arc length of 147.17 feet, a chord bearing of North 73° 30' 52" West and chord distance of 146.25 feet to a point; and

North 03° 44' 09" East, a distance of 297.72 feet to the POINT OF BEGINNING, containing 132.52 acres of land, more or less.









