

The Nest at Hoover
Final Development Plan

3.16.20

Rev 5.21.20

Article 9: PLANNED RESIDENTIAL DISTRICT (PRD)

Section 901: Intent and Purpose

The Township recognizes that with increased suburbanization and population growth come increased demands for well-organized residential areas which take into account unique natural features, contemporary land use concepts, and a balanced residential environment. The Planned Residential District is intended to promote flexibility of land development for residential purposes while still preserving and enhancing the health, safety, and general welfare of the inhabitants of the Township. Such developments shall be based upon a unified development plan conceived and carried out for the entire site.

- 901.01 It is the policy of the Township to permit the creation of Planned Development Districts to:
- A) Preserve and extend the charm and beauty existent in and inherent to the rural residential character of Genoa Township;
 - B) Provide the economic and social advantages resulting from an orderly planned use of large parcels of land;
 - C) Provide a more useful pattern of Open Space and recreation areas;
 - D) Promote development patterns, which preserve and utilize natural topography and geologic features, scenic vistas, trees and other vegetation, and prevent the disruption of natural drainage patterns;
 - E) Promote a more efficient use of land than is generally achieved through conventional development resulting in substantial savings in utility and street extensions; and
 - F) Promote development patterns in harmony with land use Density, transportation facilities and community facilities.
- 901.02 This Section establishes standards for Planned Residential Districts in areas served by central sanitary sewers and Central Water Systems, or developments utilizing other sewage treatment options approved in the development plan.
- 901.03 Pursuant to Ohio Revised Code Section 519.021(A), this District may be permitted upon application and approval of specific and detailed Final

Development Plans and all shall require amendments to the official Zoning Map. Approval for Planned Development rezoning applications may be granted pursuant to ORC 519.12 only when the plan for the project complies with these regulations and promotes the general public health, safety, morals and welfare and encourages the efficient use of land and resources, promotes greater efficiency in providing public and utility services and encourages innovation in the planning and building of the development.

Section 902: Contiguity of Land and Project Ownership

- 902.01 All land within a proposed Planned Development shall be contiguous and shall not be divided into parts by any state or federal limited access highway or by any railroad Right-of-Way.
- 902.02 The Planned Development area shall be under contract for purchase by a single entity or owned by a single entity at the time of application. For the purpose of this subsection a single entity includes, but is not limited to, the following: a married couple; corporation; partnership; or two or more property owners who have entered into a general development plan for a Planned Development.

The property is owned by a single entity, GSCS HOLDINGS LLC.

Section 903: General Requirements

- 903.01 The provisions of this Article shall apply to all lands zoned in the Planned Residential District. Only parcels of at least twenty-five (25) acres in size or under application for rezoning to PRD that collectively sum twenty-five (25) acres or more shall be considered for Planned Residential District zoning (PRD).

The subject property consists of contiguous parcels currently zoned Planned Residential District (PRD) and consisting in total of +/-25.66 acres. Refer to Exhibit B-2 for lands that were zoned. A portion of the parcels were not rezoned and will remain Rural Residential. New property boundaries shall be required to conform to rezoning areas as depicted on B-2.

A transfer of land is to be completed between the Carter's and GSCS Holdings, and the finalization of this lot line revision and transfer shall be accomplished in the subdivision plat and/or as stipulated by Delaware County. This transfer is in response to the realization that there could potentially be future issues related to maintenance and maintenance responsibilities of a pond that is currently split by an existing property line. In response to concerns by the Carter's, and recommendations and suggestions of zoning staff and Planning Commission members, a transfer

of land has been agreed upon that will give the control of the entire pond to the Carters or future owners of the Carters property. This alleviates all maintenance concerns among all parties.

903.02 The density of land use within a Planned Residential District shall not exceed 2.2 Dwellings per Net Developable Acre when Conservation Development Standards are used or 1.8 Dwellings per Net Developable Acre otherwise.

The gross density +/-1.13 du/ac, and the net density is +/-1.35 du/ac. Conservation Development Standards will be used.

903.03 Open Space areas shall be provided around the entire perimeter of a Tract. Such areas shall count towards the Planned Development's required Open Space acreage.

A) The required widths of said area shall be:

- 1) Fifty (50) feet from any Lot within a Planned Residential Zoning District.

Site is not adjacent a PRD.

- 2) One hundred (100) feet from any Lot located within a Residential or Non-Residential Zoning District.

This standard has been applied as site is adjacent existing RR Districts.

- 3) One hundred (100) feet from the Right-of-Way line of any Street that is not classified as an Arterial or Collector Street.

Not applicable

- 4) One hundred seventy (170) feet from the Right-of-Way line of any Arterial or Collector Street.

This standard has been applied from proposed 80' ROW of 3C highway.

B) The perimeter of said area shall be planted with two (2) evergreen trees and three (3) deciduous trees for every fifty (50) feet of site perimeter.

- 1) Required plantings shall be planted in staggered rows or groupings to create a natural looking landscape buffer but shall still generally cover the entire linear perimeter of the Tract.

See landscape plan Exhibit D-1 and D-4. Required plantings shall conform to this code.

- 2) Required plantings shall adhere to the size requirements found in Section 2006.

Plantings shall adhere to these standards.

- 3) In sections where existing woody vegetation, which is healthy,

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mature, and abundant enough to serve as a visual screen, occurs along the perimeter of the Tract, said vegetation may be credited towards the above planting requirements.

New plantings are proposed in areas that do not have existing vegetation that provides screening. All required plantings shall comply with Section 903.03 B. A tree survey has been performed and submitted with the Final Development plan and demonstrates compliance with Section 903.03. See D-3 for existing trees and new trees required to fulfill this requirement.

C) No Building or Structure shall be permitted within said area unless approved as part of the Planned Development's Common Open Space as further regulated in Section 911.

A community pavilion is proposed, refer to exhibit D-2

D) No Limited Common Element Area shall be permitted within said area.

None proposed.

903.04 Critical Resource Protection

A) All Buildings, Structures, Streets, and Lot Lines shall be set back at least twenty (20) feet from any Primary Conservation Area(s).

This standard has been met, except for proposed community pavilion. See Exhibit C-2 for Primary Conservation areas. See exhibit C-2a for setbacks. A divergence for the community pavilion is being requested, as the spot for this pavilion is currently without trees, flat, and has spectacular views of Hoover Reservoir, proximity to dock, and walking path.

903.05 Access

A) All Planned Developments within this District shall have at least one (1) direct vehicular access point to an Arterial or Collector Street.

This site has access to 3C Highway.

B) Planned Developments consisting of more than thirty (30) Lots or Building Envelopes shall have a second vehicular access point to a Street of any type.

There are 29 lots with one full access entry and a secondary emergency access are provided.

1) Such access may be achieved by providing a vehicular connection to an existing Street within an adjacent Planned Development with its own direct vehicular access point. Drives restricted only to emergency and/or maintenance vehicles only shall not count towards this requirement.

- 2) A second access point shall not be required if all of the Dwellings within a Planned Development contain residential sprinkler systems.

903.06 Reserved.

903.07 Storm Water Management

A) Setbacks.

- 1) All stormwater basins shall be set back a minimum of twenty (20) feet from: Lot Lines, Structures, designated Building Envelopes, and designated Limited Common Element Areas.

This standard has been met. See exhibit C-2b for setbacks.

- 2) The setback distance shall be measured landward from the maximum one hundred (100) year stormwater surface elevation of the basin during a one hundred (100) year storm.

This standard has been met. See exhibit C-2b for setbacks.

- B) All site plans must have a storm water management plan, approved by the Delaware County Engineer's Office, with the improvements constructed before a Zoning Permit will be issued for construction of Buildings.

All final construction plans will be reviewed and approved by all needed public agencies.

- C) Should any of the above contradict or conflict with the regulations of any County, State, or Federal agency having jurisdiction over such matter, the regulations of said agency shall supersede.

903.08 Parking and Loading Areas

A) Reserved.

- B) All automobile parking lots shall be screened from adjoining streets and adjoining residential properties in accordance with Article 20.

No parking areas are proposed.

- C) No parking lot shall be closer than seventy-five (75) feet from the edge of the contiguous street Right-of-Way in a Planned Residential District.

No parking areas are proposed.

- D) Parking spaces and loading areas shall be provided in accordance with Article 19.

No parking or loading areas are proposed. Parking shall be provided on driveways and garages for each single-family lot, a minimum of 4 total per home There shall be allowed on street parking as well on one side of

the street, opposite from the side of fire hydrants. No parking signs shall be posted accordingly.

903.09 Streets

A) All Street drainage shall be enclosed.

All streets shall have enclosed drainage.

B) Curbs and gutters shall be installed.

Streets shall be public and conform to Delaware County Standards, and curbs and gutters shall be installed

c) All streets shall have a minimum pavement width of twenty-two (22) feet.

Streets shall be public and conform to Delaware County Standards and be a minimum of 22 feet in width.

D) The minimum width of any landscape strip between the back of a curb and a sidewalk or Multi- Use Path shall be at least six (6) feet. This width may be reduced when necessary without a Divergence to accommodate street crossings, accessibility, public services, utilities, and/or on- street parking.

Streets and sidewalks shall be public and conform to Delaware County Standards. County Standards are for a 6' tree lawn.

E) All Streets, including private Streets, shall conform to all applicable Delaware County specifications.

All streets are public and shall follow Delaware County Standards. Additionally, there shall be perpetual rights to Owners of (4489, 4493, and the existing home at 4485 South Old 3C Highway), as well as parcel 31713001005000, to have access from the public roadways developed with this plan. The existing home on the remnant piece of 4485 South Old 3C Highway (parcel 31713001002002) shall be merged with the remnant piece of 4461 South Old 3C Highway (parcel 31713001002000) to form a single lot. The existing cabin shall be restricted to an accessory use if a new home is built. This future lot will retain the existing Rural Residential zoning district classification and was not part of the requested re-zoning or development plan.

4491 South Old 3C Highway currently shares the access point from 3-C highway, which shall not change. The ability to access the roadway to the east from the main entry will need to be eliminated as there is no current access easement and this roadway will become emergency only access.

903.10 Sidewalks, Multi-Use Paths, and Trails

A) Sidewalks along Streets.

1) New Streets. Sidewalks and/or Multi-Use Paths shall be provided along both sides of any new public or private Street.

Sidewalks are provided on both sides of the street in accordance with Delaware County Standards.

- 2) Existing Streets. Sidewalks and/or Multi-Use Paths shall be provided along any existing public or private Street within, abutting, or adjacent to a Planned Development.

An easement for future multi use path shall be provided along 3C Highway per the direction of the Township. This easement shall be 15' wide. The future multi use path shall be identified and recorded with the Subdivision plat. The rights to construct the path shall be given to Delaware County, Genoa Township, or an assignee thereof. The rights to access and utilize any path constructed within said area shall be given to the public.

- 3) Whether a sidewalk or Multi-Use Path is installed shall be determined upon the context of the surrounding area. Consistency in the type (sidewalk or Multi-Use Path) with neighboring properties and/or with a pedestrian network already established along the subject Street corridor shall be maintained and continued whenever possible and logical to do so.

No pathway network is currently provided along Old 3C, so an easement is being provided to Genoa township and its Assignees.

- 4) Pedestrian Easement Option. When location of sidewalks and/or Multi-Use Paths is not possible or is not logical due to the lack of connections at both ends of the required improvement, easements, where necessary, allowing for future construction by the Township, or its assignee, and public pedestrian access shall be provided in lieu of the above.
 - a) The width of said easement shall be at least fifteen (15) feet.
 - b) Easements shall be recorded prior to the issuance of any Zoning Permit for Buildings within the Planned Development.

An easement along 3C highway per the Township direction shall be provided to the Township and its Assignees

- B) Sidewalks shall be at least four (4) feet wide and constructed of concrete or another similar type of surface.

Sidewalks shall meet Delaware County Standards and be 4' wide minimum.

- c) Multi-Use Paths shall be at least ten (10) feet wide and constructed of asphalt or another similar type of surface.

An easement of 15' is being provided along Old 3C highway to Genoa Township and it's Assignees.

- D) Trails, where provided, shall be at least four (4) feet wide and may be

paved or unpaved but must be visually delineated in some fashion.

Interior trails shall be gravel as they generally follow existing gravel drives and will be a minimum of 4' wide.

903.11 Trees

- A) The clearing of land shall be kept to a minimum to help preserve the existing natural conditions.

Virtually all shall be maintained on the site. Refer to Tree survey and tree preservation plan, exhibit D-3 for existing trees and tree removal.

- B) No land shall be cleared of trees more than fifteen (15) feet from the foundation of a proposed Building. An exception to this requirement shall be granted in the case of those trees that should be removed due to malformation, disease, safety hazards, or to the general benefit of surrounding trees. The foregoing shall be considered as a guideline for preservation of the natural environment.

This standard shall be met

- C) No trees shall be cleared further than five (5) feet from curbs of a parking lot. The foregoing shall be considered as a guideline for preservation of the natural environment.

This standard shall be met

903.12 Landscaping

- A) All yards, front, side, and rear shall be landscaped, and all nonresidential Use areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. Each platted Lot shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.

All yards shall be landscaped on all non-residential areas, see Exhibit D-1 and D-4

- B) Street Trees shall comply with Section 2005.

Street trees shall comply.

- C) All required landscaping in the Final Development Plan shall be maintained. Dead and dying plants shall be replaced with a plant of a similar type no later than the subsequent planting season.

All required plantings shall be maintained and replaced as required by this section of code. Replacement trees may be a different species than originally specified but be with of a similar type (i.e.: evergreen for evergreen) and shall be of the same or greater size than originally specified.

Section 904: Permitted Principal Uses

904.01 Permitted Uses without Conservation Development Standards

Conservation Development Standards shall be used, so these standards do not apply.

Within a Planned Residential District, without the use of Conservation Development Standards, the following Uses are permitted subject to the area, size, Density, and other provisions set forth in this Resolution.

- A) Single-family detached Dwellings.
- B) Single-family zero Lot line units, attached twin singles, townhouses, or other forms of residential development.
- C) Common Wall Single Family Attached Dwellings.
- D) Nonresidential Uses of a religious, cultural, educational or recreational nature or character to the extent they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located with direct access to Arterial or Collector Streets so as to permit access without burdening residential Streets.
- E) Public Buildings and/or Uses which are supported in whole or part by taxes or by special public assessment. Such Uses include but are not limited to parks, playgrounds, libraries, schools, safety services stations, community centers, water treatment, pumping and storage facilities, and wastewater treatment and pumping facilities.
- F) Forest and wildlife preserves.
- G) Projects specifically designed for watershed protection, conservation of soil or water or for flood control.
- H) Family care homes and group care homes as regulated by Section 1704.

904.02 Permitted Uses with Conservation Development Standards

Conservation Development Standards shall be used.

- A) Single-Family detached Dwellings.
All homes shall be on fee simple lots.
- B) Single-family zero Lot line units, attached twin singles, townhouses, or other forms of residential development.
Not proposed for this District.
- C) Common Wall Single-Family Attached Dwellings.
Not proposed for this District.
- D) Multi-Family Buildings.

Not proposed for this District.

- E) Nonresidential Uses of a religious, cultural, educational or recreational nature or character. Said facilities must be located with direct access to an Arterial or Collector Street so as to permit access without burdening residential Streets.

Not proposed for this District.

- F) Public Buildings and/or Uses which are supported in whole or part by taxes or by special public assessment. Such Uses include but are not limited to parks, playgrounds, libraries, schools, safety services stations, community centers, water treatment, pumping and storage facilities, and wastewater treatment and pumping facilities.

Not proposed for this District.

- G) Forest and wildlife preserves.

Not proposed for this District.

- H) Projects specifically designed for watershed protection, conservation of soil or water or flood control.

Not proposed for this District.

- I) Family Care Homes and Group Care Homes as regulated by Section 1704.

Not proposed for this District.

Section 905: Permitted Accessory Uses

905.01 Accessory Buildings and Structures as regulated by Section 1609.

905.02 Accessory Signs as regulated by Article 18.

905.03 Fences and Retaining Walls as regulated by Article 20. **A divergence is requested to this section to allow for a masonry entry feature and walls, along with horse fence, along the frontage of Old 3C. The height of the masonry entry feature would not exceed 5'-6", and the fence would not exceed 34", and posts shall not exceed 40". This divergence to height will provide an appropriate scale to the entry feature in relation to such a large road and ROW. No visibility or other public nuisance issues to public health, safety or welfare arise from such a divergence. Refer to exhibit D-6 for entry feature.**

905.04 Entry Features as regulated by Section 1605. **All signage has been presented to the Township by the applicant for consideration for the Final Development Plan. Signage is located on Exhibit D-6. All future signage for or within the development and not expressly detailed in this submission, shall comply with Article 18 (sign standards) of the Genoa Township Zoning amendment, as may be amended. The entry feature signage shall not be**

illuminated between the hours of 12:00 am midnight to 6:00 a.m, and additionally, the halo lit lettering shall not exceed 1 footcandle at any lot line immediately adjacent to the planned residential district, and that maximum illumination at the light source shall not exceed 1800 lumens.

- 905.05 Accessory storage of recreational vehicles, boats, motor homes, equipment, trailers, and other vehicles other than passenger cars as regulated by Section 1906.
- 905.06 Private Swimming Pools together with game courts for the use of occupants and their guests as regulated by Section 1709.05.
- 905.07 Golf courses, as regulated by Section 1710, provided that such courses are subsidiary to the primary residential Use of the property.
- 905.08 Private Recreational Facilities, as regulated by Section 1711, provided that such facilities are subsidiary to the primary residential Use of the property.
No recreational activities per Section 1711 are proposed. If such an activity is wanted in the future, the Final Development Plan would need to be amended accordingly. Walkways, landscape, community pavilion, entry feature and signage, and fencing shall be incorporated in the open space. See Exhibit D-1
- 905.09 A clubhouse and/or multipurpose Building shall be allowed as an Accessory Use on those properties where a golf course is provided, as specified in Section 905.05. Such clubhouse and/or multipurpose Building may contain a restaurant catering primarily to golf club members and their guests.
- 905.10 Home Occupations conducted by the owner in residence of a permitted Dwelling as regulated by Section 1708.
- 905.11 Parking lots or storage yards for boats and recreational vehicles provided such area is owned or controlled by neighborhood or community associations and use is limited to the residents of the subdivision served.
- 905.12 Temporary Uses specified in and regulated by Section 1702.

Section 906: Prohibited Uses

No uses as specified below as prohibited are proposed

- 906.01 All Uses not specifically authorized as a permitted or conditionally permitted Use by the express terms of this Section of the Zoning Resolution are hereby prohibited.
- 906.02 Outdoor Storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days is prohibited. Such vehicles, if stored on the premises, shall be enclosed within a Building so as not to be visible from any adjoining property or public road.

- 906.03 Except as specifically permitted by Section 1707 and Section 1702 no Mobile Home or mobile office shall be placed or occupied in this District.
- 906.04 Adult Entertainment and Adult Entertainment Facilities are prohibited.
- 906.05 Homes for adjustment and institutions as herein defined under Residential Care Facilities are prohibited.
- 906.06 Except as specifically permitted by Article 22, no telecommunications tower as defined in Ohio Revised Code Section 519.211(B)(1) shall be allowed in this District.
- 906.07 Any commercial or business use of a parcel in this District shall be prohibited unless it complies with Section 1708, Home Occupations, of this code. This shall include but is not limited to parking of vehicles or equipment used in a business or the operation of a service type business where no work actually takes place on the site such as roofing, excavating or lawn maintenance, plumbing and other similar type operations.

Section 907: Residential Driveway Setback Requirements

- 907.01 All driveways or pavement shall have a Setback of no less than two (2) feet from the property line.

The driveways shall meet this requirement.

- 907.02 All side load garages shall have a turning pad of no less than twenty-four (24) feet.

The driveways shall meet this requirement.

- 907.03 No driveway shall be located so it enters a public road within forty (40) feet of the intersection of the edge of the contiguous Right-of-Way of any two (2) public roads.

The driveways shall meet this requirement.

- 907.04 All driveways and parking areas shall be hard-surfaced with asphaltic concrete, Portland cement concrete, permeable pavers, or another similar type of hard, non-gravel surface.

The driveways shall meet this requirement.

Section 908: Minimum Floor Area Requirements

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The minimum residential Floor Area per Dwelling within Genoa Township shall be in accordance with the following. The minimum square footage of Floor Area shall be exclusive of Porches, breezeways, utility areas, storage areas, unheated areas, unfinished areas, Basements and Attached Garages.

Dwelling Type	Minimum Floor Area.
One story	One thousand one hundred (1,100) square feet of Floor Area above grade.
1 ½/Split level/Bi-level/Walkout	One thousand two hundred (1200) square feet of Floor Area with nine hundred sixty (960) square feet on the first floor above grade.
Two stories	One thousand four hundred (1400) square feet of Floor Area with eight hundred (800) square feet on the first floor above grade.
Single Family Attached	Six hundred (600) square feet of Floor Area for a one (1) bedroom or Common Wall unit; seven hundred fifty (750) square feet for a two (2) bedroom unit.
Garage	Two (2) car Attached Garage.

These minimum floor area requirements shall be met for single family homes, and all shall have an attached 2 or 3 car garage.

Section 909: Dimensional Requirements

909.01 Dimensional Requirements without Conservation Development Standards

Conservation Development Standards shall be used.

A) Minimum Lot size:

- 1) Ten thousand (10,000) square feet or greater for any detached Dwelling situated on its own individual Lot.
- 2) The Building Envelope of Detached Dwellings situated on land commonly owned by a condominium or other similar type of association shall be at least sixty (60) feet wide and one hundred twenty (120) feet deep.

B) Minimum yard requirements:

- 1) Front, side, and rear yards for detached Dwellings on Lots ten thousand (10,000) square feet or greater shall be designed so that no residential Dwelling is closer than twenty (20) feet to any other

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residential Dwelling. Such Dwellings shall be located no closer than thirty (30) feet to any private Street or public Right-of-Way.

- 2) Front, side, and rear yards for detached Dwellings on land commonly owned by a condominium or other similar type of association, single-family zero Lot Line Dwellings, and Common Wall Single-Family Attached Dwellings, shall be designed so that no residential Building is closer than eleven (11) feet to any other residential Building. Such Dwellings shall be located no closer than twenty-five (25) feet to any private Street or public Right-of-Way.
 - 3) Other permitted Principal Uses not otherwise specified above shall have front, side, and rear yards each of which is at least forty (40) feet. No Buildings consisting of such Use shall be located closer than thirty (30) feet to any private Street or public Right-of-Way.
 - 4) Yard requirements for architectural projections, Accessory Buildings, and Accessory Structures shall be as established in Article 16.
 - 5) Setbacks from private Streets without defined easements or Right-of-Ways shall be measured from the backside of the Street curb. If curbs are not present, the measurement shall be taken from the Street's edge of pavement.
- c) Building Height limits: Unless otherwise permitted by this Resolution, no Building shall exceed thirty-five (35) feet in height.

909.02 Dimensional Requirements with Conservation Development Standards

- A) The Zoning Commission may, as a part of the PRD, with Conservation Development Standards, review process, require specific dimensional requirements if in their opinion such requirements are in the best interests of the health and welfare of the general Township.
- B) The Building Envelope of Detached Dwellings situated on land commonly owned by a condominium or other similar type of association shall be at least sixty (60) feet wide and one-hundred twenty (120) feet deep.

Condominium are not proposed so this standard does not apply.

- c) Minimum yard requirements:
- 1) Residential, excluding Multi-Family Dwellings, none.
See development plan Exhibit C-1 for proposed yard requirements.
 - 2) Other permitted Principal Uses, including Multi-Family Dwellings, shall have front, side, and rear yards each of which is at least fifty (50) feet.
None proposed for this development.
 - 3) Yard requirements for architectural projections, Accessory Buildings,

and Accessory Structures shall be as established in Article 16.

This standard shall be met.

- c) Building Height limits: Unless otherwise permitted by this Resolution, no Building shall exceed thirty-five (35) feet in height.

No building shall exceed 35' height.

- d) Setbacks from private Streets without defined easements or Right-of-Ways shall be measured from the backside of the Street curb. If curbs are not present, the measurement shall be taken from the Street's edge of pavement.

Streets shall be public.

Section 910: Open Spaces

At least forty percent (40%) of the gross acreage within a "PRD" Planned Development, shall be reserved as Open Space. In computing the amount of gross acreage Open Space, Limited Common Element Areas, road Rights-of-Way of all types, and paved vehicular areas including parking areas and driveways shall be excluded. It shall also not include the areas of individual fee simple Lots conveyed to homeowners. The gross acreage open space area may be, but is not required to be, open to all residents of the Planned Development or general public.

The following items are a part of the computation of the gross acreage Open Space: Scenic easements, utility easements, existing lakes or ponds, and/or private and public active or passive Open Space, and including up to twenty-five percent (25%) of land area included within bounded stanchions but located between guy-wiring and stanchions Attached to a communications tower if said guy-wires and stanchions are located so as to leave said percent open to the sky. All land area located between guy-wiring and stanchions and included in an Open Space computation shall be landscaped so as to screen the base of the tower and all related Structures and shall not be used for active or passive recreation facilities of any kind.

There will be a minimum of 40% open space per this standard, and since Conservation Development Standards have been used and met, a minimum of 50% shall be provided

Section 911: Common Open Spaces

911.01 Common Open Space requirements if Conservation Development Standards Are Not Used:

Conservation Standards are used so these standards do not apply.

- A) A minimum of fifteen percent (15%) of the gross acreage within a residential Planned Development shall be required to be Common Open Space and shall be accessible to all tenants or residents within the zoning property but is not required to be open to the general public.
- B) The location, shape, size and character of Common Open Space shall be suitable for the Planned Development in relation to the location, number and types of Buildings it is intended to serve. In any case, it shall be highly accessible to all residents of the Planned Development. Entry features, detention and retention basins, and Limited Common Element Areas shall not be included in the area required for Common Open Space.
- C) The Common Open Space shall be used for amenity or recreational purposes. Any Uses and/or Buildings authorized for the Common Open Space must be appropriate to the scale and character of the Planned Development in relation to its size, Density, expected population, topography, and the type of Dwellings.
- D) The Common Open Space may be suitably improved for its intended Use, but Common Open Space containing natural features worthy of preservation such as slopes over twelve percent (12%) and wooded areas may be left unimproved. The Buildings, Structures, and improvements that are permitted in the Common Open Space must be appropriate to the Uses which are authorized for the Common Open Space and must conserve and enhance the amenities of the Common Open Space with regard to its topography and unimproved condition.

911.02 Common Open Space Requirements if Conservation Development Standards Are Used:

+/- 14.03 acres, or +/-54.68% Common Open Space (excludes detention ponds) shall be provided.

- A) Conservation Developments requires that no less than fifty percent (50%) of the total gross area of the area being developed be set aside as Common Open Space. Open Space land may, at the discretion of the Township Trustees, be dedicated as public parkland or public institutional use; or placed within other protected land classification systems which will assure that such land will remain in a natural state prohibiting further development, and the establishment of appropriate standards safeguarding the site's special assets as identified by the Zoning Commission.

The Open space shall be owned and maintained by the Home Owners Association.

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Approximately +/-54.68% (14.03+/- acres) of the site shall be common open space.

Included in the common open space calculation are the sidewalks and community pavilion through the open space areas. All such areas are designated on the attached exhibits.

All open space shall be part of the forced and funded Owner's Association designated as Common Element and shall be not be accessible to the general public.

Improving the common areas and protected open spaces with amenities, landscaping, and gardens or any other improvement permitted within such spaces without permit via the Zoning Resolution, shall be solely controlled and managed by the developer and the subsequent home owner's association.

- B) The location, shape, size and character of Common Open Space shall be suitable for the Planned Development in relation to the location, number and types of Buildings it is intended to serve. In any case, it shall be highly accessible to all residents of the Planned Development. Entry features, detention and retention basins, and Limited Common Element Areas shall not be included in the area required for Common Open Space.

These standards shall be met. Refer to Open Space Exhibit D-2 for areas included in this open space calculation.

- C) The Common Open Space shall be used for amenity or recreational purposes. Any Uses and/or Buildings authorized for the Common Open Space must be appropriate to the scale and character of the Planned Development in relation to its size, Density, expected population, topography, and the type of Dwellings.

The Common Open Space shall be used for amenity and recreational purposes. A Community Pavilion is proposed within the open space. Refer to Exhibit D-2.

- D) The Common Open Space may be suitably improved for its intended Use, but Common Open Space containing natural features worthy of preservation such as slopes over twelve percent (12%) and wooded areas may be left unimproved. The Buildings, Structures, and improvements, which are permitted in the Common Open Space, must be appropriate to the Uses which are authorized for the Common Open Space and must conserve and enhance the amenities of the Common Open Space with regard to its topography and unimproved condition.

The proposed development shall comply with this requirement.

Section 912: Off-Site Common Open Spaces

- 912.01 In lieu of the Common Open Spaces required in Section 911, the Zoning Commission or Township Trustees may accept, as part of an approved Final Development Plan, Common Open Space consisting of an off-site unified tract of land which is suitably located and of adequate type and size to accommodate recreational facility sites, parks and other similar types of public uses.
- 912.02 The proposed off-site Common Open Space shall be conveyed to a public authority that will agree to maintain the off-site Common Open Space and any Buildings, Structures or improvements that have been placed on it. All land conveyed to a public authority must meet the requirements of the appropriate public authority as to size, shape, location, character and the method, conditions, and timing of the transfer. Public utility or other similar easements and Right-of-Way for watercourses or other similar channels are not acceptable for off-site Common Open Space dedication unless such land or Right-of-Way is usable as a trail or other similar purpose and approved by the public authority to which land is to be transferred.
- 912.03 The off-site Common Open Space shall be used for recreational purposes, Open Space, park, school site, or other similar type of public use. Any Uses and/or Buildings authorized for the off-site Common Open Space must be appropriate in relation to the location, size, shape and topography of the tract.
- 912.04 The off-site Common Open Space may be suitably improved for its intended Use, but off-site Common Open Space containing natural features worthy of preservation such as slopes over twelve percent (12%) and wooded areas may be left unimproved. The Buildings, Structures, and improvements that are permitted in the off-site Common Open Space must be appropriate to the Uses which are authorized for the off-site Common Open Space and must conserve and enhance the amenities of the off-site Common Open Space with regard to its topography and unimproved condition.
- 912.05 The minimum size of the proposed off-site Common Open Space shall be the greater of fifteen percent (15%) of the gross acreage of the Planned Development or five (5) acres.

Off-site Common Open Space shall only be considered upon request of the applicant and upon a determination that Common Open Space within the development is insufficient, inappropriate and impractical for the proposed Uses and purposes and that the off-site Common Open Space is reasonably accessible to all residents and users of the Planned Development. In all cases, the benefits of a proposed off-site Common

Open Space shall outweigh the benefits of providing Common Open Space within the Planned Development. Factors used in evaluating the adequacy and appropriateness of the proposed off-site Common Open Space include:

- A) The location, size, shape and topography of the tract;
- B) The intended Use of the tract and the existing and proposed amenities, improvements and facilities;
- C) The access to and location of the tract in relation to the Planned Development;
- D) The method and degree of integration of the tract with the Planned Development;
- E) The character of the Zoning District in which the tract is located, the Uses permissible within the District, and the compatibility of the proposed Uses with adjoining development and Uses; and
- F) The availability and adequacy of essential public facilities and services.

No off-site open space is proposed.

Section 913: Ownership of Common Open Space

Different ownership and management options apply to the permanently protected Common Open Space created through the development process. The Common Open Space shall remain undivided and may be owned and managed by a Homeowner's Association, the township, or a recognized land trust or conservation District (conservancy). A public land dedication, not exceeding ten percent (10%) of the total parcel size, may be required by the Township Trustees to facilitate trail or pathway connections. A narrative describing ownership, use and maintenance responsibilities shall be submitted for all common and public improvements, utilities, and open spaces.

The Homeowners Association shall own and maintain the common open space and shall comply with Section 913.03 standards.

The access to Hoover Reservoir is controlled by the City of Columbus, and such access is not guaranteed through this rezoning.

- 913.01 Ownership Standards. Common Open Space within the development shall be owned, administered, and maintained by any of the following methods, either individually or in combination, and subject to approval by the Township Trustees.
- 913.02 Offer of Dedication. The Township Trustees shall have the first offer of dedication of undivided Common Open Space in the event said land is to be conveyed. Dedication shall take the form of a fee simple ownership. The Township Trustees may but are not required to accept undivided Common Open Space provided: 1) such land is accessible to all the residents of the Township; 2) there is no cost of acquisition other than

incidental costs related to the transfer of ownership; 3) the Township Trustees agree to maintain such lands. Where the Township Trustees accept dedication of Common Open Space that contains improvements, the Township Trustees may require the posting of financial security to ensure structural integrity of improvements for a term not to exceed eighteen (18) months.

913.03 Homeowner's Association. The undivided Common Open Space and associated facilities may be held in common ownership by a Homeowner's Association. The association shall be formed and operated under the following provisions:

- A) The developer shall provide a description of the association, including its bylaws and methods for maintaining the Common Open Space.
- B) The association shall be organized by the developer and shall be operated by the developer, before the sale of any Lots within the development.
- C) Membership in the association is mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
- D) The association shall be responsible for maintenance of insurance and taxes on the undivided Common Open Space, enforceable by liens placed by the Township Trustees on the association. The association may establish rules to ensure proper maintenance of property, including monetary liens on the homes and home sites of its members who fail to pay their association dues in a timely manner. Such liens may impose a penalty of interest charges.
- E) The members of the association shall share equitably the costs of maintaining and developing, where appropriate, such undivided Common Open Space. Shares shall be defined within the association bylaws.
- F) In the event of transfer, within the methods here permitted, of undivided Common Open Space land by the Homeowner's Association, or the assumption of maintenance of undivided Common Open Space land by the Township, notice of such pending action shall be given to all property owners within the development.
- G) The association shall provide for adequate staff to administer common facilities and property and continually maintain the undivided Common Open Space.
- H) The Homeowner's Association may lease Common Open Space lands to any other qualified person, or corporation, for operation and maintenance of Common Open Space lands, but such a lease

agreement shall provide:

- 1) That the residents of the development shall at all times have access to the Common Open Space lands contained therein (except croplands during the growing season);
 - 2) That the undivided Common Open Space shall be maintained for purposes set forth in this Section; and
 - 3) That the operation of Common Open Space facilities may be for the benefit of the residents only or may be open to all residents of the township, at the election of the developer and/or Homeowner's Association. In cases where public trails or paths are provided as linkage between developments or as a continuous link of Common Open Space within the township, all residents of the township shall have access to such identified paths/walkways.
- l) The lease shall be subject to the approval of the Homeowner's Association board and any transfer or assignment of the lease shall be further subject to the approval of the board. Lease agreements shall be recorded with the Delaware County Recorder's Office and notification shall be provided to the Township Trustees within 30 days of action by the Board.

913.04 Condominiums. The undivided Common Open Space and associated facilities may be controlled through the use of condominium agreements, approved by the Township Trustees. Such agreements shall be in conformance with all applicable laws and regulations. All undivided Common Open Space land shall be held as a common element.

913.05 Dedication of Easements. The Township Trustees may, but shall not be required to, accept easements for public use of any portion or portions of undivided Common Open Space land, title of which is to remain in ownership by condominium or Homeowner's Association, provided:

- A) Such land is accessible to township residents;
- B) There is no cost of acquisition other than incidental transfer of ownership costs; and
- C) A maintenance agreement is reached between the developer, association and the Township Trustees.

913.06 Transfer of Easements to a Private Conservation Organization. With formal expressed permission of the Township Trustees, an owner may transfer easements to a private, nonprofit organization, among whose purposes it is to conserve open space and/or natural resources, provided that:

- A) The organization is acceptable to the Township Trustees, and is a bona fide conservation organization with perpetual existence;
- B) The conveyance contains appropriate provisions for the proper reverter

or retransfer in the event that organization becomes unwilling or unable to continue carrying out its function; and

- c) A maintenance agreement acceptable to the Township Trustees is entered into by the developer and the organization.

No easements shall be transferred to a private conservation organization.

Section 914: Maintenance of Open Space

914.01 The ultimate owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues and special assessments. The owner shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues and assessments.

914.02 In the event that the organization established to own and maintain Common Open Space shall at any time after establishment of the Planned Development fail to maintain the Common Open Space in reasonable order and condition in accordance with the Final Development Plan, the Township Trustees may serve written notice upon such organization or upon the residents of the Planned Development setting forth the manner in which the organization has failed to maintain the Common Open Space in reasonable condition. The notice shall include a demand that such deficiencies of maintenance be cured within thirty (30) days thereof and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing the Township Trustees may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be cured.

If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said thirty (30) days or any extension thereof, the Township Trustees, in order to preserve the taxable values of the properties within the Planned Development and to prevent the Common Open Space from becoming a public Nuisance, may enter upon said Common Open Space and maintain the same for a period of one (1) year. Said entry and maintenance shall not vest in the public any rights to use the Common Open Space. Before the expiration of said year, the Township Trustees shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the Common Open Space, call a public hearing upon notice to such organization, or to the residents of the Planned Development, to be held by the Township Trustees, at which hearing such organization or the residents of the Planned Development shall show cause why such maintenance by the Township Trustees shall not, at the election of the Township Trustees, continue for a succeeding year. If the Township Trustees shall determine such organization

is ready and able to maintain said Common Open Space in reasonable condition, the Township Trustees shall cease to maintain said Common Open Space at the end of said year. If the Township Trustees shall determine such organization is not ready and able to maintain said Common Open Space in a reasonable condition, the Township Trustees may, in its discretion, continue to maintain said Common Open Space during the next succeeding year and subject to a similar hearing and determination, in each year thereafter. The decision of the Township Trustees in any such case shall constitute a final administrative decision subject to review as provided by law.

The cost of such maintenance by the Township Trustees shall be assessed against the properties within the Planned Development that have a right of enjoyment of the Common Open Space and shall become a tax lien on said properties. The Township Trustees, at the time of entering upon said Common Open Space for the purpose of maintenance, shall file a notice of such lien in the office of the Delaware County Recorder, upon the properties affected by such lien within the Planned Development.

Section 915: Planning Process Overview

The following sequence of actions herein prescribed shall be followed when applying for a change in zoning to the PRD classification. These steps should be followed sequentially and may be combined only at the discretion of the Zoning Commission.

915.01 Pre-application Discussion. A pre-application discussion is required between the applicant and administrative staff. The purpose of this meeting is to introduce the applicant and his/her representatives to the Township's Conservation Concept, and to discuss the applicant's objectives in relation to the Township's official policies and other related requirements.

The applicant has had discussions with the Zoning Staff regarding this property and project.

915.02 On Site Walkabout. The applicant and the Zoning Commission shall walk the site, at which time the Primary and Secondary Conservation Areas to be saved shall be identified. At the completion of the site walk or shortly thereafter a very conceptual development plan should be quickly sketched on the site analysis map by the applicant or his consultant for impromptu comments from the Zoning Commission. No binding decisions or votes are made at the on-site walkabout. Based upon such comments, a formal development plan can be prepared for public hearing. The On-Site Walkabout is a public meeting pursuant to Ohio Sunshine Law and must be

properly noticed.

An on-site walkabout has been conducted with the Township prior to application and was completed prior to public hearings.

Section 916: Application Procedure

In addition to any other procedures set out in this resolution, all applications for amendments to the Zoning Map to rezone lands to this District shall follow the procedures hereinafter set forth:

- 916.01 Application - The owner or owners of Lots and lands within the township may request that the Zoning Map be amended to include such tracts in the Planned Development District in accordance with the provisions of this resolution. Ten (10) copies of the application for the proposed amendment shall be submitted to the Zoning Inspector and shall contain at a minimum the following information:
- A) Name, address, and telephone number of applicant; **Refer to Application.**
 - B) Date;
 - C) Legal description of the property; **See Exhibit B-1.**
 - D) Present Use; **Farm.**
 - E) Present Zoning District; **PRD, Planned Residential District**
 - F) Proposed Use; **PRD, Single Family Homes.**
 - G) Proposed zoning District; **PRD, Single Family Homes.**
 - H) Existing Features Plan (Site Analysis). Plans analyzing each sites special features are required for all proposed developments, as they form the basis of the design process for greenway lands, Building location, street alignments, and Lot Lines. Plans shall contain, at a minimum, the basic information contained within the Delaware County Regional Planning Commission's Geographic Information System (GIS) including:
 - 1) A contour map based upon the most recent U.S. Geological Survey;
 - 2) The location of severely constraining elements such as steep slopes (over 25%), wetlands, watercourses, intermittent streams and 100-year floodplain, and all Rights-of-Way and easements;
 - 3) Soil boundaries as shown on the USDA Natural Resource Conservation Service maps;
 - 4) The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or from the site, watershed divides and drainage ways, existing Fences or stone walls, rock outcrops, and existing Structures, roads, tracks and trails, and sites or Buildings of historic importance; and

- 5) An aerial photograph of the site and surrounding area.

Similar data shall be made available regarding adjacent properties and existing developments in order to provide continuity of plans including streets, paths and walkways;

An Existing Conditions Plan showing the required elements is attached. See Exhibit B-3.

- I) A development plan for the site;

See Exhibit C-1 for Development Plan.

- J) A landscape plan, including an inventory of existing trees;

See Exhibit D-1 for proposed landscaping and Exhibit D-3 for existing trees.

- K) A plan for any exterior lighting and/or signage;

See Exhibit F-2 for proposed lighting plan. Signage shall be provided at time of final development plan approval. See Exhibit D-6 for proposed signage. All future signage for or within the development and not expressly detailed in this submission, shall comply with Article 18 (sign standards) of the Genoa Township Zoning amendment, as may be amended.

- L) A Vicinity Map at a scale approved by the Zoning Commission showing property lines, streets, Structures within five hundred (500) feet of the property's boundary, existing and proposed zoning, and such other items as the Zoning Commission may require;

See exhibit B-3 for vicinity map.

- M) A site review conducted by Delaware County Regional Planning Commission and their comments;

- N) A traffic study, unless waived by the Zoning Commission;

A traffic study has been submitted and approved by the County. The Delaware County engineer is requiring a left turn lane on 3C Highway.

- O) A list of all property owners, as appearing on the county auditor's current tax list within five hundred (500) feet of, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned, and others that may have a substantial interest in the case. For each of the property owners the applicant shall provide two sets of pre-addressed, stamped letter-size envelopes with postage sufficient to send a notice via first class mail; and

Provided with application, see Exhibit A-1

P) A fee as established by the Township Trustees.

Provided with application.

916.02 Preliminary Development Plan – Ten (10) copies of the development plan shall be submitted with the application, the plan shall include in text and map form:

A) The proposed size and location of the Planned Residential District (PRD);

The site is located East of 3C Highway adjacent Hoover Reservoir, and approximately 25.66 acres in size.

B) The general development character of the tract including the limitations or controls to be placed on residential and related Uses, with probable Lot sizes, minimum setback requirements and other development features including Landscaping;

Only single-family homes and ancillary uses shall be allowed in this development. Minimum building setbacks from existing 3C Highway shall be 170 feet from proposed 80' ROW, and 100' from adjacent residential properties. Minimum building setbacks interior to the site shall be 15', lot sizes vary and are 67' x 122', 79' x 110', and 85' x 100'. (refer to Exhibit C-1) All homes shall be landscaped, and a landscape entry feature will be located at 3C Highway. Interior street trees shall be provided, and landscape buffers shall be included along the boundary lines supplementing existing vegetation.

c) Architectural design criteria for all Structures and criteria for proposed Signs with proposed control procedures;

All homes will have a minimum six (6) inch overhangs, a minimum roof pitch of 6/12 on the main structures of the home (accent features such as porches and dormers may have less than 6/12 roof pitch), all front windows will be wrapped with a minimum of four (4) inch trim (except when the windows are surrounded by stone or brick) and the garage doors will either have raised panels or decorative accents.

Exterior finishes containing high gloss or high chroma colors are prohibited on all structures within the property.

- **The exterior of the buildings shall include the following:**
 - **LP Smart Side and Trim, 50-year Limited Warranty**
 - **Cultured/precast stone**
 - **Stucco**
 - **Single hung, Low-E vinyl windows, Lifetime Warranty**
 - **30 Year, Dimensional Shingle**
 - **Insulated 2-car garage doors**

- Standing seam accent roof (minimal use)
- Faux shutters
- Dormers (active and inactive)
- Other materials used as minor accents

- Exterior Colors
 - Stucco Colors
 - Natural earth tones –tans and greys.
 - High-chroma colors are not permitted.
 - Trim Colors
 - Natural earth tones and/or warm neutral colors, including white.
 - Complementary or contrasting to siding color.
 - High-chroma colors are not permitted.
 - Roofing Colors
 - Shingle colors shall be from the color range of natural materials; such as, but not limited to wood shakes, slate, etc.

Conceptual Elevations of the proposed Dwelling Units are provided- Refer to exhibit F-1

Architectural Design criteria submitted by the applicant will be administered and enforced by the developer and the subsequent home owner's association.

- D) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness;
Evidence of availability of public water and sanitary sewer service is attached in the form of letters from each of Del-Co Water Company and the Delaware County Sanitary Engineer. The proposed storm water detention facilities are shown on the site plan. See Exhibits E-1 and E-2.
- E) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise;
All roads shall be public, see Exhibit C-1.
- F) A traffic study examining the impact of the development on the existing infrastructure, modifications required to handle the increased traffic and the mechanism proposed to complete the necessary improvements;
A traffic study has been completed and approved by the county.
- G) The relationship of the proposed development to existing and probable Uses of surrounding areas during the development timetable;

The proposed development is bounded by existing single-family homes to the north, south and south east, with Hoover Reservoir to the East and 3C Highway to the West.

- H) Location of schools, parks, and other facility sites, if any; **NA**
- I) The proposed time schedule for development of the site including streets, Buildings, utilities, and other facilities;

Commencement of construction shall occur promptly upon Township and County approvals. The development will occur in 1 phase.

- J) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases; and
- K) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan.

The applicant owns the property and the engineering is feasible. The applicant possesses sufficient capacity to carry forth its plan. See exhibit E-1 for engineering feasibility.

- L) Specific statements of Divergence shall be requested “per plan”; if any deviation from the development standards in this Resolution or existing county regulations or standards are desired, an applicant making such a request shall specifically and separately list each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution, by promoting one or more of the following purposes:

The following divergences are requested.

Section 903.04 A of the zoning code, Critical Resource protection. A divergence for the community pavilion is being requested to be located within this protection zone, as the spot for this pavilion is currently without trees, flat, and has spectacular views of Hoover Reservoir, proximity to dock, and walking path.

Section 2002.03 no Fence or Accessory Wall shall exceed thirty (30) inches in height between the street Right-of-Way line and the Building Setback Line. A divergence is requested to this section to allow for a masonry entry feature and walls, along with horse fence, along the frontage of Old 3C. The height of the masonry entry feature would not exceed 5'-6", and the fence would not exceed 34", and posts shall

not exceed 40”. This divergence to height will provide an appropriate scale to the entry feature in relation to such a large road and ROW. **No visibility or other public nuisance issues to public health, safety or welfare arise from such a divergence.**

1) The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land; **The proposed site plan maintains the existing pond and, 20% or greater existing slopes, and large treed areas located adjacent Hoover Reservoir.**

2) The health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township; **The plan is in compliance with the township code and represents the orderly development of the property and is compatible with the surrounding residential uses.**

3) The quality of life within Genoa Township through the protection of the total environment, the prevention of nuisances and hazards, and the provision of adequate light, air, and convenient access to property; **The plan incorporates preservation of treed areas, increased open space along roadways, the correct procedures for storm water quality and quantity will be observed.**

4) The assurance of the compatibility of land uses which are either adjacent or in proximity to each other; **The proposed development is compatible with surrounding residential development, and home values are similar.**

5) The orderly development of all lands within the Township to its appropriate use; and this use is an approved use per the comprehensive plan. **The Comprehensive plan recommends single family uses.**

6) the most appropriate use of land to facilitate and provide adequate public and private improvements.

Unless a deviation from development standards is specifically approved as a Divergence, the same shall be complied with.

There are two (2) divergences requested. Refer to Section 916.02 L.

- a. Administrative Review - All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector or designated technical advisors for administrative review to ensure substantial

compliance with the development plan as approved.

Section 917: Action by Zoning Commission

The Zoning Commission shall hold a public hearing on the Proposed Amendment as provided by Article 26 of this Resolution. Such public hearing shall consider all aspects of the Proposed Amendment including the Final Development Plan as well as any proposed stages and/or units of development. The Zoning Commission shall within thirty (30) days after the final public hearing on such plan recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Delaware County Regional Planning Commission thereon to the Township Trustee