Case Number.	2C 2004-07
Date Filed:	517104

# **GENOA TOWNSHIP**

APPLICATION FOR AMENDMENT OF ZONING MARCE VE
Name of Owner: Homestead Highland Lakes, LLC.
Mailing Address: 150 E. Broad St., Suite 305
City: Columbus, Ohio Zip: 43215GENOA TOWNSHIP
Business Phone: 614-221-1800 Home Phone: 614-883-1200
Address of Property:
City: Westerville, Ohio Zip: 43082
Range: <u>17W</u> Twp: <u>3N</u> Section: <u>2</u> Farm Lot: <u>13</u>
Subdivision Name: Homestead at Highland Lakes AKA Oaks at Highland Lakes
Inlot Number: N/A Acreage: 37.521 Present Zoning District: PD-1
Present Use: Cluster Housing Requested Zoning District: Same
Proposed Uses: New pool configuration and relocation of pool facilities to
correct error in placement.
The undersigned certifies that this application and the attachments thereto contain all information required by the zoning resolution and that all information contained herein is true and accurate and is submitted to induce the amendment of the zoning map. Applicant agrees to be bound by the provisions of the zoning resolution of Genoa Township, Delaware, County, Ohio.
May 7, 2004 Kathleen H. Foster, Vice President of Administration  Date Printed Name Signature  5-7-04 KOCKLEW H. Foster  INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED
Date of Hearing by Zoning Commission 5/24/04 Date of Decision 5/24/04
Recommendation: Approve deny
Vote: Aye 5 Nay Abstain FINAL DEVELOPMENT PLAN Approved: 5 HOW
Date of Trustee Hearing Date of Decision
Decision: Approval of Recommendation: Aye Nay Abstain
Denial of Recommendation: Aye Nay Abstain



May 7, 2004

Leslie Warthman, Zoning Inspector Genoa Township 5111 S. Old 3C Rd. Westerville, OH 43082

Dear Leslie:

Homestead Communities, LLC, is requesting an amendment to the amended development plan, to place the swimming pool to comply with the 75' setback required. Unfortunately, the last amendment located the pool incorrectly. The configuration and the shape of the pool are the substantial differences involved. There is no change to the development text.

I have included the application, a fee of \$400 and a list of contiguous property owners. Also enclosed is a set of addressed and stamped envelopes of these contiguous property owners, for your use.

Enclosed are 15 copies of the previous plans (exhibit C-1 dated 9/29/03 and 12/17/03) and current plans (exhibit C-1 both dated 5/6/04) required as a result of your review of our recent zoning application for the pool and pool house. Please call Pat Grabill at 614-883-1081 if any items do not meet with your satisfactory review.

Please feel free to contact me if you need further information or have any questions regarding this matter.

Sincerely,

David L. Miller Project Manager

Enclosure

Jeff Shaw 965 High St. Worthington, OH 43085

Joe & Linda Diamond 153 N. Washington St. Delaware, OH 43015

Ed & Ellen Korbini 5253 Langwell Dr. Westerville, OH 43082

M/I Homes of Central Ohio 3 Easton Oval Columbus, OH 43219

Patricia & Larry Grady 5579 Shiloh Spring Dr. Westerville, OH 43082

Rodney & Pamela Palmer 5152 Alston Grove Dr. Westerville, OH 43082

Joan Derstine 5481 Worthington Rd. Westerville, OH 43082

Cheryl & Lester Gloege 5430 Worthington Rd. Westerville, OH 43082

Jerry & Donna Seeley 6575 Big Walnut Rd. Galena, OH 43021

Rane & Howard Cassidy 5528 St. George Ave. Westerville, OH 43082 Janet Weidig Hutzelman Farms 4340 Millwater Dr. Powell, OH 43065

Lawrence & Celia Besselman 5194 Bardon Dr. Westerville, OH 43082

Stephen & Pamela Havens 5283 Langwell Dr. Westerville, OH 43082

Oluwakemi & Adewale Sobande 5580 Shiloh Spring Dr. Westerville, OH 43082

Ann Marie Rule 5238 Alston Grove Dr. Westerville, OH 43082

Rachelle Anthony 5220 Alston Grove Rd. Westerville, OH 43082

Michelle & David Merrick 5235 Thornwood Dr. Westerville, OH 43082

Delores & Paul Kaser 5450 Worthington Rd. Westerville, OH 43082

Roderick Budd 5570 Worthington Rd. Westerville, OH 43082

Kelly & Phil Markwalder 5593 Shiloh Spring Dr. Westerville, OH 43082 John L. Reid 5236 Thornwood Dr. Westerville, OH 43082

Nancy & William Clower 5186 Alston Grove Rd. Westerville, OH 43082

Katie & Christopher Lozinak 5168 Alston Grove Dr. Westerville, OH 43082

Ashley & Michael Walker 5044 Alston Grove Rd. Westerville, OH 43082

Fred & Brenda Gaines 6319 Big Walnut Rd. Galena, OH 43021

Guy & Marylee Mikulec 6433 Big Walnut Rd. Galena, OH 43021

Michael & Lilly Ann Crawford 6479 Big Walnut Rd. Galena, OH 43021

Robert Seeley 6543 Big Walnut Rd. Galena, OH 43021

Terry & Millie Dorgan 5233 Bardon Dr. Westerville, OH 43082

James A. Kidd 5110 Alston Grove Dr. Westerville, OH 43082 Janet & Paul Dodman 5202 Alston Grove Dr. Westerville, OH 43082

Michele Rental & Sean McKay 5166 Thornwood Dr. Westerville, OH 43082

Tina & Dannie Moss 5130 Alston Grove Dr. Westerville, OH 43082

Don Shaw 965 High St. Worthington, OH 43085

James & Cheryl Murrin 6401 Big Walnut Rd. Galena, OH 43021

Jonathan Hardbarger 6457 Big Walnut Rd. Galena, OH 43021

Thomas & Mary Hoffman 6515 Big Walnut Rd. Galena, OH 43021

Michael Emrich 5514 Worthington Rd. Westerville, OH 43082

David & Clara Glaser 5215 Langwell Dr. Westerville, OH 43082

Kevin & Kathy Rhodes 5262 Langwell Dr. Westerville, OH 43082 Tom & Cynthia Adams 5148 Bardon Dr. Westerville, OH 43082

Fred & Pamela Marker 5540 Edinvale Ln. Westerville, OH 43082 Elwood & Debra Pershing 5238 Gillen Way Westerville, OH 43082

Janie Kelley-Anderson 5549 Midfield Dr. Westerville, OH 43082

### WILLOW BEND RESIDENTS

Michael and Jennifer Lemantia 5335 Royal County Down Westerville, OH 43082

Donald and Vera Burkins 5824 Willow Bend Lane Westerville, OH 43082

Joseph and Christine Warwick 5840 Willow Bend Lane Westerville, OH 43082

Michael and Joann Hauger 5315 Amanda Ridge Court Westerville, OH 43082

Michael and Francine Meyers 5281 Amanda Ridge Court Westerville, OH 43082

Timothy and Veruschka Bosco 5282 Amanda Ridge Court Westerville, OH 43082

Scott and Janet Hurt 5294 Amanda Ridge Court Westerville, OH 43082

Gregory Daggett 5353 Lynbrook Lane Westerville, OH 43082

Steve and Adrienne Taneff 5285 Lynbrook Lane Westerville, OH 43082

Augustin and Laurie Martinez 5257 Lynbrook Lane Westerville, OH 43082

John and Linda Hlavacek 5276 Lynbrook Lane Westerville, OH 43082 Brian and Beth Sanford 5348 Lynbrook Lane Westerville, OH 43082

Craig and Tracy Wallace 5370 Lynbrook Lane Westerville, OH 43082

Michael and Holly Snyder 5396 Lynbrook Lane Westerville, OH 43082

Gary and Kelly Pica 5873 Willow Bend Lane Westerville, OH 43082

Norman and Lee Ann Heitmeyer 5863 Willow Bend Lane Westerville, OH 43082

Robert and Rene Delane 5831 Willow Bend Lane Westerville, OH 43082

Kenneth and Rita Fisher 5378 Salem Drive Westerville, OH 43082

Jeffrey and Tracey Noe 5398 Salem Drive Westerville, OH 43082

Scott and Jennifer Wolfe 5420 Salem Drive Westerville, OH 43082

Frank Renee Rivelle 5444 Salem Drive Westerville, OH 43082

Danielle Dickerson 5468 Salem Drive Westerville, OH 43082 Leighton and Vivian Chen 5516 Salem Drive Westerville, OH 43082

Michael and Renee Vining 5521 Salem Drive Westerville, OH 43082

Tina Milano 5491 Salem Drive Westerville, OH 43082

George and Cathy Smith 5469 Salem Drive Westerville, OH 43082

James and Joan Lea 5445 Salem Drive Westerville, OH 43082

Bobby and Connie Daniel 5417 Salem Drive Westerville, OH 43082

Sandra Diggs 5387 Salem Drive Westerville, OH 43082

Robert and Twana Smith 5359 Salem Drive Westerville, OH 43082

Nicholas and Shelby Herold 5757 Willow Bend Lane Westerville, OH 43082

Martin Boratyn 5492 Lynbrook Circle Westerville, OH 43082

Scott and Kristine Forrester 5582 Lynbrook Circle Westerville, OH 43082 Daniel and Deanna Gifford 5482 Willow Bend Court Westerville, OH 43082

Spero and Sandra Catalano 5563 Willow Bend Court Westerville, OH 43082

Jeffrey and Lauren Cantrell 5419 Willow Bend Court Westerville, OH 43082

Bob Webb Builders, LLC 7662 North Central Drive Lewis Center, OH 43035

Brad Hughes Romanelli & Hughes 148 West Schrock Road Westerville, OH 43081

Rick Kayle CV Perry Builders, LLC 370 South Fifth Street Columbus, OH 43215

R Homes 2602 Oakstone Drive Columbus, OH 43231

Marv Hill Marhill Builders 4644 Aberdeen Avenue Dublin, OH 43017

Rich Danko Duffy Homes 8760 Orion Place, #100 Columbus, OH 43240

Greater Ohio Dist of the Wesleyan Church 5960 Big Walnut Road Galena, Ohio 43021

### Zoning Inspector

From:

"Dave Miller" <dmiller@continental-communities.com>
"Leslie Warthman (E-mail)" <lwarthman@insight.rr.com>

To: Cc:

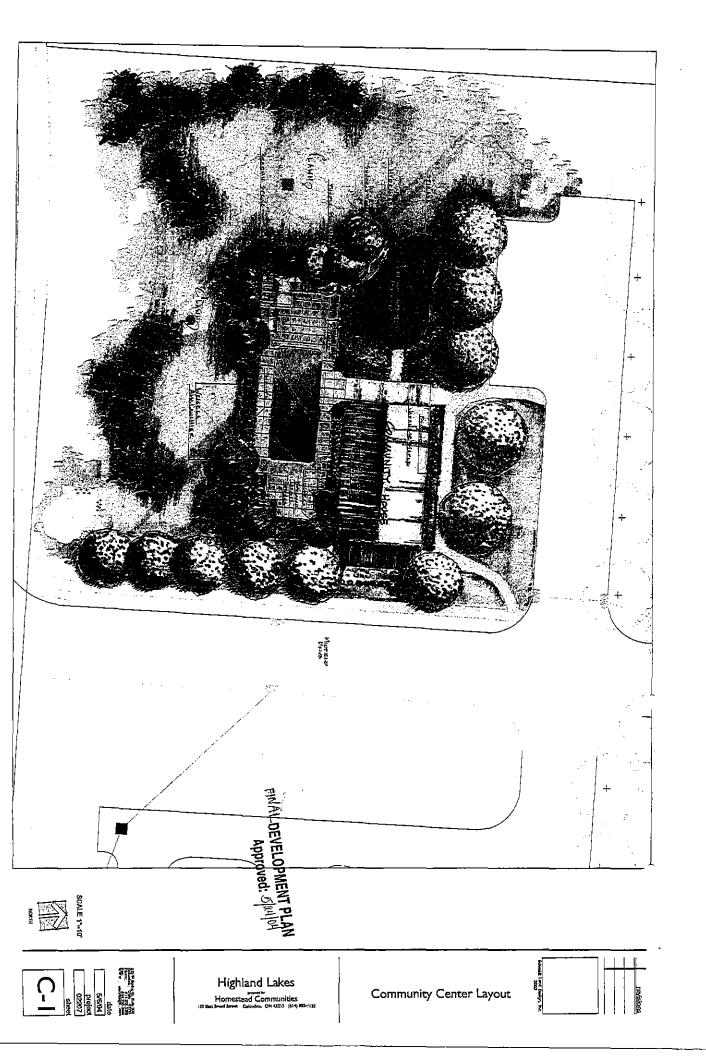
"Don Butler" <dbutler@homestead-communities.com>

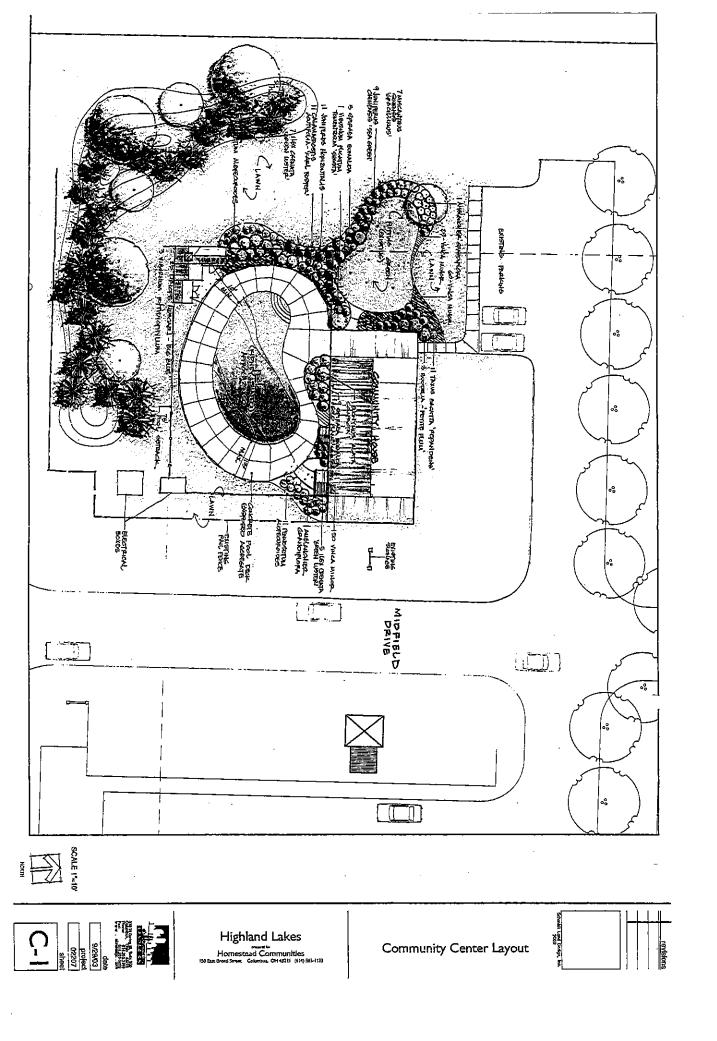
Sent:

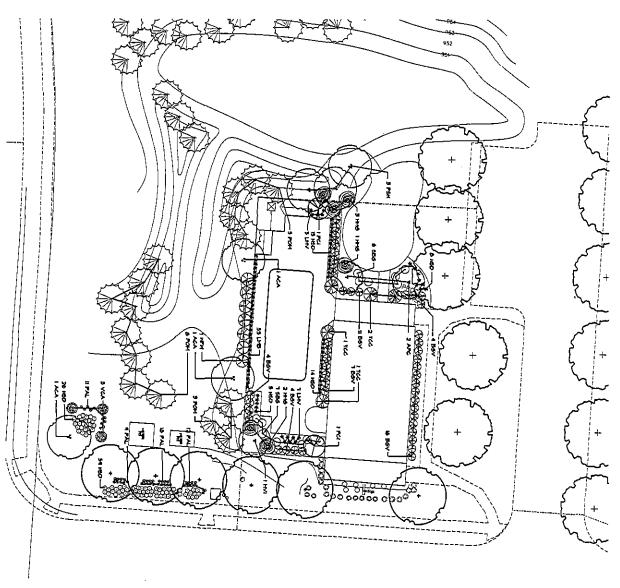
Saturday, June 05, 2004 9:24 AM

Subject: Highland Lakes Pool

will be out of the office June 8-11. I wanted to make sure we, at Homestead, understood what is required to move forward with the zoning application for the pool & pool house. The residents approved the submitted pool at 16 x 40 at the meeting the other night and we are collecting all signatures. (Some residents were absent.) Once you have these signatures, are you able to proceed with the issuance of the permit? Please let me know Monday 6/7 via email or 496-5615 if you get a chance. If not, please call Don Butler at 883-1309 to let him know of any modifications to the above. Thanks.







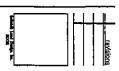
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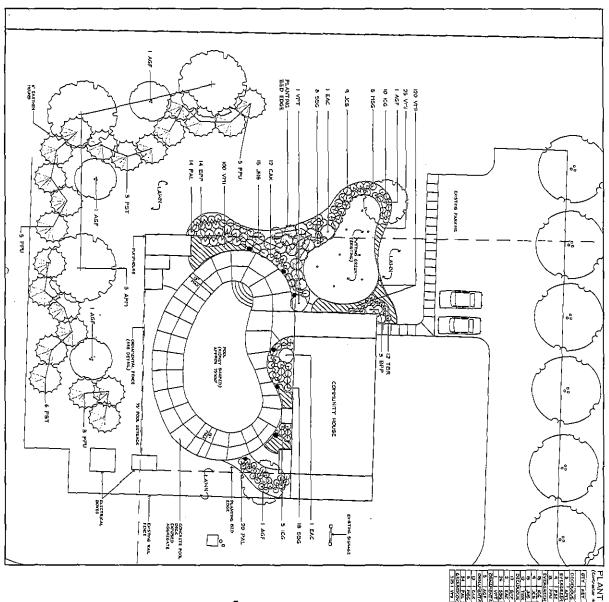




Highland Lakes
Homestead Communities
BELEFORD CHAZZES (814) BEZ-11

Community Center Layout





LANDSCAPE LIGHTING

Contractor is respondible for all plant

SCALE 1'=10'



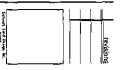


Highland Lakes

Homestead Communities

10 Earl Dead Street Columbus, OH 42315 (114) 623-133

Community Center Planting Plan

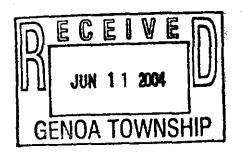




#### VIA HAND DELIVERY

June 11, 2004

Leslie Warthman Zoning Inspector **Genoa Township** 5111 South Old 3C Highway Westerville, OH 43082



Re: Application ZC 2004-07, Homestead at Highland Lakes Condominiums

Dear Ms. Warthman:

In reference to the above zoning application, please find enclosed the following:

- 1. Acknowledgement and Agreement forms containing the <u>original</u> signatures of ALL condominium owners supporting the change in location, shape, and size of the pool.
- 2. Minutes of the June 2, 2004 Highland Lakes Condominium Association Meeting indicating approval of a pool size of 16 feet by 40 feet—same as current Zoning Commission request.

Together, these documents should fulfill the Zoning Commission and your conditions for final approval.

Both Messrs. Grabill and Miller are out of the office until early next week. If you have any questions or require additional information in the interim, please do not hesitate to call me at 614-883-1309.

Sincerely,

Donald E. Butler

Chief Financial Officer

hard E Sur

Enclosures: As stated

UNIT OWNER	Date	Unit Address or Unit Designation	Signature
(Print Name)			Airba
Lawrence Besselman &		5194 Bardon Dr.	Cha Berelman
Celia Besselman			
Terry Dorgan &	<del></del>	5233 Bardon Dr.	Millie Dropa
Millie Dorgan			reflect to top.
Ellen Korbini		5253 Langwell Dr.	Ellen Korten
David Glaser &		5215 Langwell Dr.	24 ×600 = 20
Clara Glaser			Ca . 910000
Stephen Havens &		5283 Langwell Dr.	Close Slaser
Pamela Havens		(	Temila Haven
Elwood Pershing &		5238 Gillen Way.	Elused Aershing
Debra Pershing			Det
Janie Kelley-Anderson		5549 Midfield Dr.	Jana Kelley Mikeronin
Tom Adams &		5148 Bardon Dr.	5 Rom 1 1 D
Cynthia Adams			Cynthia Adams
Kevin Rhodes &		5262 Langwell Dr.	La-P Plado
Kathy Rhodes			, same i ropurcoso

Marken
Marken
wal Evans
Thomas

UNIT OWNER (Print Name)	Date	Unit Address or Unit Designation	Signature
Hutzelman Farms Janet Weidig		5550 Midfield Dr #3	May

UNIT OWNER (Print Name)	Date	Unit Address or Unit Designation	Signature
	1	5131 Gillen Way - #1	
Leoner Party, in	5/13/04		
Don Shaw /	0 ,	5557 Midfield Dr #13	7_/
Rome downs, LLC	3/13/64		Auto
Jeff Shaw	dal	5577 Edinvale Ln #22	11 11
	5/13/04		18 gay 14-18len
Don Shaw far	$\cap$	5567 Edinvale Ln #22	D - +
Peserve Pentals, LLC	1/13/6		Dod ?
Don Shaw	1.7	5546 Crosskirk Dr #36	(I) 44
!	1/13/6	1	July D
Don Shaw	107	5554 Crosskirk Dr #37	Q-1
	1/2/11		THAT I
	117/04		

UNIT OWNER (Print Name)	Date	Unit Address or Unit Designation	Signature
Linda Diamond	- <del>-</del>	5143 Gillen Way	Linda Diamond
Trustee			Linda Diamard

# Meeting Summary June 3, 2004

The meeting began 6:30. Pat Grabil, Dan Butler and Kathy Scanlon represented Homestead Communities. Dede Davis-Dozer represented Sterling Realty Associate, LLC. There were 12 residences represented.

There was a great deal of discussion regarding the mowing and what contractor was responsible for what. With that Abbruzzese agreed to mow the are between the sidewalk and street. Dede will obtain a site plan from Mr. Grabil and work with the master association to see that the proper areas are mowed.

There was discussion regarding the property line and where the property actually begins and ends. When the map from Mr. Grabil is provided this will give the owners the defining areas.

Mr. Grabil submitted to the owners the plans for the pool and pool area. A vote was taking regarding the dimension of the pool and the homeowners voted unanimously to have a 16x40 pool. The homeowners were disappointed that there would be no pool this season. Mr. Grabil stated he would do all he could to have it opened in August if possible.

Mr. Grabil presented awning information to the owners. This is the only approved awning and prior approval is necessary.

Mr. Grabil discussed reducing the size of the community to 60 units. The homeowners asked about what will be done with the additional land and Mr. Grabil described the type of condominiums that are on the drawing board for that area.

The meeting was adjourned at 8:40 p.m.

# GENOA TOWNSHIP

Zoning Office 5111 South Old 3C Highway Westerville, Ohio 43082 (614) 899-0725 (614) 882-7143 Fax

June 2, 2004

Mr. Dave Miller Homestead Communities 150 East Broad Street, Suite 305 Columbus, Ohio 43215

RE: ZC 2004-07, Homestead at Highland Lakes Condominiums

Dear Mr. Miller:

The Genoa Township Zoning Commission met on May 24, 2004, to hear the above-referenced application. The Board's decision with respect to that hearing was as follows:

Ms. McIntosh made a motion to approve application ZC 2004-07, authorizing a minor amendment to the Final Development Plan for the Oaks at Highland Lakes, exclusively involving the Homestead Communities condominium project portion of the development. The changes authorized with this approval shall be in accordance with the Revised Development Site Plan dated May 6, 2004 and the additional clarification provided in a correspondence from the Project Manager, David L. Miller, dated May 7, 2004, describing the changes to the community pool, whose dimensions shall be based on the results of the meeting on June 2, 2004 with the Homeowners' Association, provided all changes meet Genoa Township's Zoning Code. The applicant will submit a revised Final Development Text. All site details approved January 26, 2004 not addressed in this amendment shall remain in force. Motion was seconded by Mr. Tomastik. Vote: all ayes. Motion carried unanimously.

Based on the decision of the Genoa Township Zoning Commission, your application for Amendment to Development Text was approved unanimously.

Sincerely,

Vicki L. Stainer

Wich Stainer

### **MEMORANDUM**

DATE:

May 21, 2004

TO:

**ZONING COMMISSION** 

FROM:

LESLIE WARTHMAN, ZONING OFFICER

RE:

**Staff Review Application ZC #2004-07** 

## Amendment to Final Development Plan for Oaks @ Highland Lakes

As many of you will recall, Homestead Communities had applied and received approval for an amendment to the Oak Final Development plan earlier this year because they changed the location of their proposed fitness facility (consolidating it into their community building, instead of building a freestanding facility as was part of the original development plan. Along with that change they also located an outdoor pool in the location of the community building.

An error was discovered on their part when they went to do final engineering and finish the designs for the pool. It would not fit as shown on the new plan within the required setback. The error occurred because they had calculated the setback from the middle of the road, not the property line/right-of-way line, which resulted in being short. So to make up for this they changed the design of their pool. When they submitted for the pool permit I was not comfortable arbitrarily allowing them to reduce the size of the pool administratively and recommended they follow this procedure. In essence, I feel that they are lessening a "promised" amenity and without due process I was not going to be the one who authorized this! They were told to have signatures of all residents confirming their acknowledgment of the plan changes being made, just like we did with the last plan.

You will have to decide if this is to be handled as a minor or major development plan amendment. Otherwise, it's straight forward. They WILL meet required setbacks with this plan.

There are three items I would bring to your attention:

- 1. The actual dimensions of the new pool were not provided. It would be good to know the actual square footage differential between the pool previously proposed and the new design.
- 2. I recommended they get signatures from every current homeowner in the project, acknowledging the design changes. We advertise and hold a public hearing and notified them of this hearing, but it would be fail safe if we had this signature sign off too.
- 3. It should be verified that all other details provided with the previous amendment remain the same unless specified in the new documentation.

# GENOA TOWNSHIP

Zoning Office 5111 South Old 3C Highway Westerville, Ohio 43082 (614) 899-0725 (614) 882-7143 Fax

May 24, 2004

(Member) Made a motion to approve Application ZC 2004-07, authorizing a minor amendment to the Final Development Plan for the Oaks At Highland Lakes, exclusively involving the Homestead Communities condominium project portion of the development. The changes authorized with this approval shall be in accordance with the Revised Development Site Plan dated May 6, 2004 and the additional clarification provided in a correspondence from the Project Manager David L. Miller, dated May 7, 2004, describing the changes to the community pool.

Motion was seconded by Vote:

## **Zoning Inspector**

From:

"Dave Miller" <dmiller@continental-communities.com>

To:

"Leslie Warthman (E-mail)" < lwarthman@insight.rr.com>

Cc:

"Pat Grabill" <pgrabill@homestead-communities.com>

Sent:

Monday, May 24, 2004 8:13 AM

Subject: Pool

This e mail is in response to your telephone message from last Friday morning. I apologize for the tardiness in my esponse, but I was in a seminar all day Friday and just picked up the message.

- 1. Pool as approved at last township meeting was illustrative in nature and depicted a kidney shaped pool that the text nside the pool said was approximately 25' x 50'. There was no calculation done to determine the actual square footage.
- 2. The current proposed pool is approximately 16' x 40'.

#### **LEGAL NOTICE**

PUBLIC HEARING WILL BE HELD BY THE GENOA TOWNSHIP ZONING COMMISSION, DELAWARE COUNTY, OHIO AT 7:00 P.M. ON THE 24<sup>TH</sup> DAY OF MAY, 2004, AT THE GENOA TOWNSHIP COMMUNITY HALL, 5111 SOUTH OLD 3C HIGHWAY, WESTERVILLE, OHIO TO HEAR THE FOLLOWING REQUEST:

FERIDEAN COMMONS LTD. REQUESTING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN, LOCATED AT 5610 SOUTH OLD 3C HIGHWAY, IN A PLANNED COMMUNITY FACILITIES (CF) ZONING DISTRICT. (ZC 2004-06)

HOMESTEAD HIGHLAND LAKES, LLC, REQUESTING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR THE OAKS AT HIGHLAND LAKES, LOCATED AT 5150 GILLEN WAY, IN A PLANNED RESIDENTIAL DEVELOPMENT (PD-1) ZONING DISTRICT. (ZC 2004-07)

AND ANY BUSINESS THAT MAY COME BEFORE THE BOARD. THE APPLICATION AND TEXT MAY BE EXAMINED AT THE TOWNSHIP ZONING OFFICE, 5111 SOUTH OLD 3C HIGHWAY, WESTERVILLE, OHIO.

VICKI STAINER ZONING SECRETARY (614) 899-0725

## **LEGAL ADVERTISING**

TO:

SUBURBAN NEWS/CAROLINE SNYDER

FAX NO.:

785-1881

**DATE:** 5/10/04

**TIME:** 9:45 A.M.

FROM:

VICKI STAINER

GENOA TOWNSHIP ZONING SECRETARY

PHONE:

(614) 899-0725

**FAX:** (614) 882-7143

SUBJECT OF LEGAL: GENOA TOWNSHIP ZONING COMMISSION

SECTION OF PLACEMENT:

**LEGAL** 

NUMBER OF TIMES TO BE PUBLISHED:

ONE (1)

DATE(S) OF PUBLICATION:

5/12/04

COST TO BE PAID BY:

GENOA TOWNSHIP

5111 S. OLD 3C HIGHWAY WESTERVILLE, OHIO 43082

APPROVED BY: VICKI STAINER

ADDITIONAL INFO:

PLEASE PUBLISH IN THE WESTERVILLE

NEWS AND PUBLIC OPINION. THANKS!

# REVIEW CHECKLIST

Applicant: Homestend Highland Lakes, LLC
The attached set of plans has been reviewed by our department and attached are our comments. Each Department has 3 days to review the plans.
Genoa Township Fire Department
Reviewed by Date 17 May 04
Comments No Comments.
Passed on to Police Department on 17 May 04.
Genoa Township Police Department
Reviewed by Chief Robert TAYLOR Date 5-20-04
Comments New
Passed on to Maintenance Department on 5-20-04.
Genoa Township Maintenance Department
Reviewed by W. Le Direct Date 5-20-04
Comments
Returned to Clerk's Office on
Plans returned to Zoning Office on by:

# **GENOA TOWNSHIP**

Zoning Office 5111 South Old 3C Highway Westerville, Ohio 43082 (614) 899-0725 (614) 882-7143 Fax

May 10, 2004

Mr. Dave Miller Homestead Communities 150 East Broad Street, Suite 305 Columbus, Ohio 43215

RE: ZC 2004-07, Homestead at Highland Lakes Condominiums

Dear Mr. Miller:

The Genoa Township Zoning Commission will meet on May 24, 2004, at 7:00 p.m. to hear the above-referenced application. A copy of the legal notice is enclosed for your convenience. If you have any questions, please feel free to contact our office.

Sincerely,

Vicki L. Stainer

**Enclosure** 

# **GENOA TOWNSHIP**

Zoning Office 5111 South Old 3C Highway Westerville, Ohio 43082 (614) 899-0725 (614) 882-7143 Fax

May 10, 2004

Florine I. Varner & Associates, Inc. 287 West Main Street Ashland, Ohio 44805

Attention:

Cindy

RF:

ZC 2004-01, Genoa Baptist Church

ZC 2004-03, Freeman Farms ZC 2004-06, Feridean Commons

ZC 2004-07, Homestead Highland Lakes

Dear Cindy:

The Genoa Township Zoning Commission has scheduled the above-referenced hearings for May 24, 2004, beginning at 7:00 p.m. Enclosed are copies of the legal notices.

We will need a court reporter at the above-referenced hearings. Please send me confirmation at the above-noted address. Thanks for your assistance in this matter.

Sincerely,

Vicki L. Stainer

Enclosure

Trinted on 05/10/2004 at 09:50 by amybe-

Last changed by amyba Us/10/2004 Us.30

(514) 859-0725

Acct# 34828

Given by VICKI STAINER

PO# 2C 2004-03,-07

SENOA TOWNSHIP ZONING OFC

Class 0100 LEGAL NOTICES

3111 S. OLD 3C HIGHWAY ATTN: SUSAN DUNKLE

Start 05/12/2004 Stop 05/12/2004 Bill Monthly Comml.

VESTERVILLE, OH 43082 Subscr? N

AR Acct# 2385

Index: GENOA TOWNSHIP LEGAL MOTICE PUBLIC Cols 2 Lines 30 Inches 3.00 Words 144 Box? Y

larments:

ATTN: VICKI, FAX\*: 882-7143 FROM: CAROLINE FAX\*: 785-1881 ATTN: VICKI,

DIR#; 410-0219 5/10: FAX COPY 

Pb# Code Rate Base-Charge Addl-Charge Total-Cost Ins Start

Stop

SMTWIFS

LO 6 WE 63.30 0.00

63.30

63.3¢

1 05/12/2004 05/12/2004 0001000

TOTAL AD COST

GENOA TOWNSHIP LEGAL NOTICE

Public Hearing will be held by the Genoa Township Zoning Commission, Delaware County, Ohio at 7.00 P.M. on the 24th day of May, 2004, at the Genoa Township Community Hall, 5111 South Cld 3C Highway, Westerville, Ohio to hear the following request:

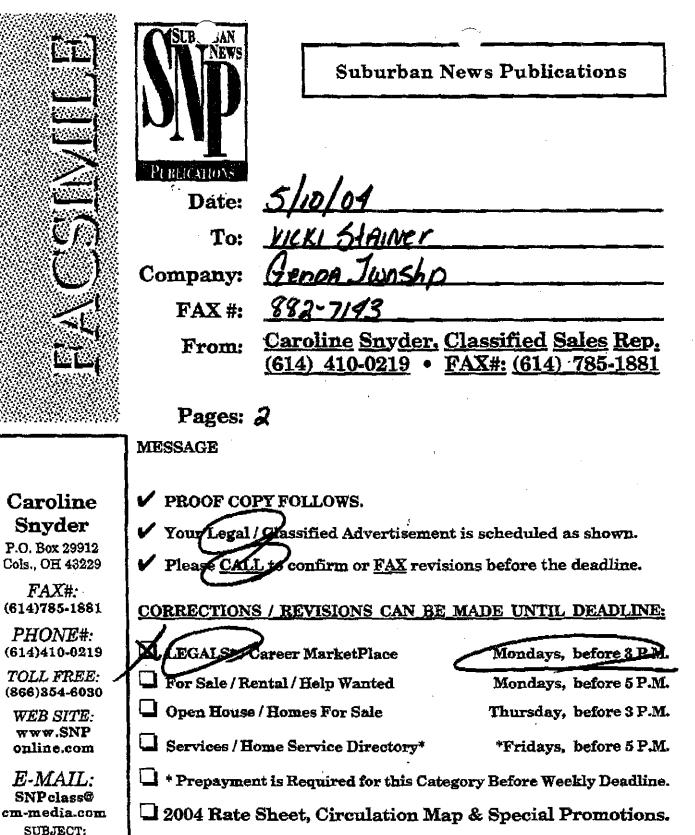
FERIDEAN COMMONS LTD. REQUESTING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN, LOCATED AT 5518 SOUTH OLD 3C HIGHWAY, IN A PLANNED COMMUNITY FACILITIES (CF) ZONING DISTRICT. (ZC 2004-06)

HOMESTEAD HIGHLAND LAKES, LLC, REQUESTING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR THE OAKS AT HIGHLAND LAKES, LOCATED AT 6160 GRLEN WAY, IN A PLANNED RESIDENTIAL DEVELOPMENT (PD-1) ZONING DISTRICT. (ZC 2004-07)

And any business that may come before the Board. The application and text may be examined at the Township Zening Office, 5111 South Old 3C Highway. Westerville, Ohlo.

Vicki Stainer, Zoning Secretary (614) 899-0725 May 12, 2004

TOTAL P.02



Attn: Caroline

COMMENTS:

# **FAX COVER SHEET**

**TO:** Dave Miller

**Homestead Communities** 

FAX: 221-3567

FROM: Vicki Stainer

Genoa Township Zoning Office

**DATE:** May 5, 2004

Dave,

I reviewed the address list you faxed to me yesterday, and it looks fine. Attached is an Application for Development Plan Approval which you also requested. If you need anything further, please give me a call.



150 E. Broad St. Suite 305 Columbus, OH 43215 PHONE: 614-883-1133 FAX: 614-221-3567

# **FAX COVER SHEET**

FROM THE DESK OF: Dave Miller

Date: 05/04/04

Susan Dorsch

Leslie Warthman

FAX: 882-7143

RE: Homestead at Highland Lakes Condominiums

PAGES: 4, including this cover sheet.

The following pages contain information intended for the addressee and are considered

# Personal and Confidential!

#### Comments:

Attached is the latest list of persons to be contacted about our submission for change to development plan. Please review at your earliest convenience and notify me of any changes required so that I can include them in my submission. Also, would you please fax me a blank form for the Application for Amendment to Zoning map, so that I can complete it. Thanks.

If you do not receive all pages or the fax is not legible please call 883-1133

Jeff Shaw
965 High St.
Worthington, OH 43085

Joc & Linda Diamond

153 N. Washington St.
Delaware, OH 43015

Ed & Ellen Korbini 5253 <del>Langwell Dr</del>. Landwell Dr. Westerville, OH 43082

M/I Homes of Central Ohio

3 Easton Oval , Suite 540
Columbus, OH 43219

Patricia & Larry Grady 5579 Shiloh Spring Dr. Westerville, OH 43082

Rodney & Pamela Palmer 5152 Alston Grove Dr. Westerville, OH 43082

Joan Derstine
5481 Worthington Rd.
Westerville, OH 43082

Cheryl & Lester Gloege 5430 Worthington Rd. Westerville, OH 43082

Jerry & Donna Seeley 6575 Big Walnut Rd. Galena, OH 43021

Rane & Howard Cassidy 5528 St. George Ave. Westerville, OH 43082 Janet Weidig
Hutzelman Farms
4340 Millwater Dr.
Powell, OH 43065

Lawrence & Celia Besselman 5194 Bardon Dr. Westerville, OH 43082

Stephen & Pamela Havens
5283 Langwell Dr.
Westerville, OH 43082

Oluwakemi & Adewale Sobande 5580 Shiloh Spring Dr. Westerville, OH 43082

Ann Marie Rule

5238 Alston Grove Dr.
Westerville, OH 43082

Rachelle Anthony
5220 Alston Grove Rd.
Westerville, OH 43082

Michelle & David Merrick 5235 Thornwood Dr. Westerville, OH 43082

Delores & Paul Kaser
5450 Worthington Rd.
Westerville, OH 43082

Roderick Budd
5570 Worthington Rd.
Westerville, OH 43082

Kelly & Phil Markwalder 5593 Shiloh Spring Dr. Westerville, OH 43082 John L. Reid 5236 Thornwood Dr. Westerville, OH 43082

Nancy & William Clower 5186 Alston Grove Rd. Westerville, OH 43082

Katie & Christopher Lozinak 5168 Alston Grove Dr. Westerville, OH 43082

Ashley & Michael Walker 5044 Alston Grove Rd. Westerville, OH 43082

Fred & Brenda Gaines 6319 Big Walnut Rd. Galena, OH 43021

Guy & Marylee Mikulec 6433 Big Walnut Rd. Galena, OH 43021

Michael & Lilly Ann Crawford 6479 Big Walnut Rd. Galena, OH 43021

Robert Seeley 6543 Big Walnut Rd. Galena, OH 43021

Terry & Millie Dorgan 5233 Bardon Dr. Westerville, OH 43082

James A. Kidd 5110 Alston Grove Dr. Westerville, OH 43082 Janet & Paul Dodman 5202 Alston Grove Dr. Westerville, OH 43082

Michele Rental & Sean McKay 5166 Thornwood Dr. Westerville, OH 43082

Tina & Dannie Moss

5130 Alston Grove Dr.

Westerville, OH 43082

Den Shaw
965 High St.
Worthington, OH 43085

James & Cheryl Murrin 6401 Big Walnut Rd. Galena, OH 43021

Jonathan Hardbarger 6457 Big Walnut Rd. Galena, OH 43021

Thomas & Mary Hoffman 6515 Big Walnut Rd. Galena, OH 43021

Michael Emrich
5514 Worthington Rd.
Westerville, OH 43082

David & Clara Glaser 5215 Langwell Dr. Westerville, OH 43082

Kevin & Kathy Rhodes 5262 Langwell Dr. Westerville, OII 43082 Tom & Cynthia Adams 5148 Bardon Dr. Westerville, OH 43082

SENT BY: HOMESTEAD COMMUNITIES; \_

Fred & Pamela Marker 5540 Edinvale Ln. Westerville, OH 43082

Elwood & Debra Pershing 5238 Gillen Way Westerville, OH 43082

MAY-4-04 10:28AM;

Janie Kelley-Anderson
5549 Midfield Dr. Westerville, OH 43082

Last printed 5/4/2004 9:31 AM

## GENOA TOWNSHIP ZONING COMMISSION MAY 24, 2004

Present:

Scott Downing, Chairman

Bess Heiberger Dave Bishop Jo McIntosh Tom Tomastik

Also Present:

Leslie Warthman, Zoning Inspector

Stacey Melko, Alternate Brad Cothern, Alternate

Court Reporter:

Susie Swind

RE:

ZC 2004-07, Homestead at Highland Lakes

Hearings for ZC 2004-01, ZC 2004-03 and ZC 2004-06 were also conducted at this meeting. Separate minutes have been prepared in connection with those hearings.

#### ZC 2004-07, Homestead at Highland Lakes

This hearing began at 9:17 p.m.

Mr. Downing read the legal notice for the record as follows:

HOMESTEAD HIGHLAND LAKES, LLC, REQUESTING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR THE OAKS AT HIGHLAND LAKES, LOCATED AT 5150 GILLEN WAY, IN A PLANNED RESIDENTIAL DEVELOPMENT (PD-1) ZONING DISTRICT.

Mr. Downing asked everyone to sign the sign-in sheet being circulated and directed everyone who wished to speak at this hearing to stand and be sworn in by the court reporter.

Pat Grabill, President of Homestead Communities, appeared and presented his case to the Board. Mr. Grabill stated that the reason he is now before the Board is because his office missed a setback requirement of 75' when they designed the originally submitted plans for the pool. They have now redesigned and reconfigured the pool to comply with the required setback and

they are requesting approval of the revised pool design. They are now proposing either a 16'x40' or 16'x50' pool, whichever is approved by the residents of the community. Mr. Grabill testified that they have a meeting scheduled with the residents on June 2, 2004 to discuss this issue. He testified that plans for the landscaping and community center remodeling previously submitted will remain the same. The only configuration difference of the pool is that it is now a rectangular pool instead of an oval pool and it is smaller.

Following the scheduled meeting with the residents, Mr. Grabili stated that he will supply the required resident signatures to the Zoning Office along with the final dimensions of the pool.

#### **Public Comment:**

Residents Ned Korbini, David Glaser and Cathy Rhodes, all expressed their support for the requested Development Plan Amendment, but all stated their desire to see a 16'x50' pool constructed.

Resident Tom Adams asked the applicant what the timetable was for the construction of the pool. Mr. Grabill stated that, if approved, he believes construction would take place within 45 days on the pool, and 30 days for commencing construction of the fitness facility.

#### **Board Comment:**

None.

Mr. Downing called a recess at 9:29 p.m. in order to formulate a resolution of this matter. Mr. Downing resumed the hearing at 9:35 p.m.

Ms. McIntosh made a motion to approve application ZC 2004-07, authorizing a minor amendment to the Final Development Plan for the Oaks at Highland Lakes, exclusively involving the Homestead Communities condominium project portion of the development. The changes authorized with this approval shall be in accordance with the Revised Development Site Plan dated May 6, 2004 and the additional clarification provided in a correspondence from the Project Manager, David L. Miller, dated May 7, 2004, describing the changes to the community pool, whose dimensions shall be based on the results of the meeting on June 2, 2004 with the Homeowners' Association, provided all changes meet Genoa Township's Zoning Code. The applicant will submit a revised Final Development Text. All site details approved January 26, 2004 not addressed in this amendment shall remain in force. Motion was seconded by Mr. Tomastik. Vote: all ayes. Motion carried unanimously.

This meeting ended at 9:38 p.m.

Mr. Tomastik made a motion to adjourn this meeting. Motion was seconded by Ms. McIntosh. Vote: all ayes. Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Vicki L. Stainer

**Zoning Secretary** 

APPRQVED:

Scott Downing, Chairman

Date: 7-26-04

noa Township Attendance St. t

(Everyone in attendance must sign-in)

Date: 5/24/04

case: ZC 2004-07 Homestead Cots/Oak@HL

Case. 2004-07	Homestead ans oake HC
Name (Please Print)	Address (and / or) Company Affiliation
BRGO COTHERN	May pueblo of
Stacey Wells	8039 Chateau hane
Celia Besselman	5194 Bardon Dr. (Homestead)
Ellen Katini	5253 Laggevill Dire Waterello, 14
Ed Karbeni	5253 Lazure Drive, Westeralle, 01/
Pam Marker	5540 Edinvole Dr. Westerville, OH
Fred Marker	5540 Edinuales Dr. Westerville, OH
Tom Adams	5148 Bardon Drive.
Hathy Rhodes	5262 LANGWELL DR.
Ham Rhody	5262 LAUGWISH DA.
Adam	5215 LANGWELL DR.