

**LIBERTY TOWNSHIP BOARD OF TRUSTEES  
DELAWARE COUNTY, OHIO**

**DATE: August 7, 2017**

**RESOLUTION NO. 17-0807-07**

**ACCEPTING PUBLIC EASEMENT**

**PREAMBLE**

**WHEREAS**, Epcon Bradford, LLC (“Epcon”) desires to grant a permanent nonexclusive public use easement (“Easement”) to the Liberty Township Board of Trustees, Delaware County, Ohio (“Board”) over land Epcon owns in the Township, such land to be developed for the Courtyards at Bradford Court and identified as Delaware County Auditor’s Permanent Parcel Numbers 319-433-02-039-000 and 319-433-02-038-000; and,

**WHEREAS**, the Easement is for the purpose of providing access to and across portions of private sidewalks and streets for the public’s use and enjoyment; and,

**WHEREAS**, the Easement is more fully described in the Public Use Easement attached hereto as Exhibit A.

**WHEREAS**, the Board desires to accept the Easement pursuant to the terms and conditions listed in Exhibit A.

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED:**

- A. The Board hereby accepts the Easement pursuant to the terms and conditions listed in Exhibit A.
- B. Epcon, as the Grantor of the Easement, shall promptly record the Easement with the Delaware County Recorder’s Office, be responsible for all costs and fees associated with recording, and provide a copy of the recorded Easement to the Board.
- C. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.
- D. This Resolution shall be in full force and effect immediately upon adoption.

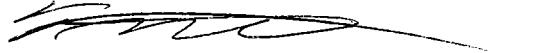
Moved by - Leneghan Second by - Mitchell

Voted on and signed this 12<sup>th</sup> day of August, 2017 in Liberty Township, Delaware County, Ohio.

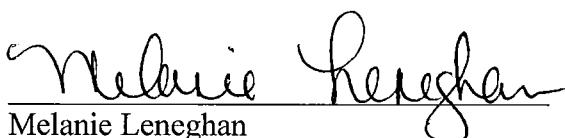
**BOARD OF TRUSTEES OF  
LIBERTY TOWNSHIP,  
DELAWARE COUNTY, OHIO**

Roll Call

Eichhorn - Yes  
Leneghan - Yes  
Mitchell - Yes



Tom Mitchell  
Trustee



Melanie Leneghan  
Trustee



Shyra Eichhorn  
Trustee

Attest:

  
Nancy Denute  
Liberty Township Fiscal Officer

## **SECTION 10.06: Planned Residential District Procedures**

### **A.) Application**

### **B.) Development Plan**

See Exhibit 'C-1' for Concept Plan

#### **1.) The proposed size and location of the Planned Residential District**

The Planned Residential District site is approximately 17.204 acres. The site is located in Liberty Township, Delaware County, Ohio. It is bounded by Sawmill Road and the Abington of Powell to the west, just off of Bradford Court. Existing single family homes abut the property on the north, east, and south sides. Waterbury Lane stubs to the property from the east, and Bradford Court from the West

#### **2.) The general development character of the tract,**

##### **A. Including the specific limitations or controls to be placed on residential and related uses.**

Only single family detached condominiums, clubhouse, and pool will be constructed in the Planned Residential District. The limitations and controls shall be governed by this Development text, Liberty Township zoning code, and the Declaration of Condominium.

##### **B. The Density of dwelling units**

62 detached single family condominiums will be constructed on this site, which would allow 3.6 du/acre gross, or 4.24 du/ac net developable.

##### **C. Numbered Lots and sizes**

As these are condominiums, there are no lots

##### **D. Approximate location of roads, entry features, retaining ponds and utility lines.**

The existing road stub from Bradford Court will be the entrance for the Proposed Planned Residential District. Interior streets shall be private, and laid out as shown on the development plan. There shall be an entry feature for this development located at the intersection of Bradford Court and Sawmill Road. Storm water will be handled in two retention ponds located in Northern half of the site. Utility lines that serve this development shall be located

underground. An emergency access drive will be located at the Southeast corner of the site connecting to Waterbury Lane. The emergency access will tie into the internal sidewalk system of this project that allows for public pedestrian access through this site to Sawmill Road.

See Exhibit C-1 for Development Plan.

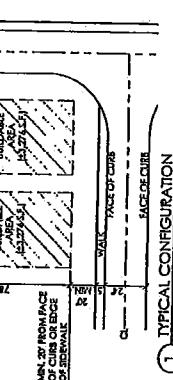
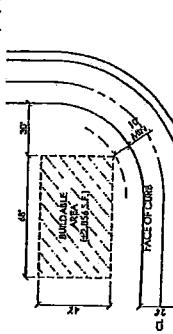
**THE COURTYARDS AT BRADFORD COURT**  
 PREPARED FOR EPCON COMMUNITIES  
 DATE: 10/13/15

**DEVELOPMENT PLAN**

② UNITS 50 & 57 CONFIGURATION  
 SCALE: 1"=30'

① TYPICAL CONFIGURATION  
 SCALE: 1"=30'

SITE DATA	
TOTAL ACRES	517.20 ACRES
TOTAL NET DEVELOPABLE ACRES	514.62 ACRES
TOTAL UNITS	62 UNITS
DENSITY	5.00 UNITS/AC.
NET DENSITY	4.90 UNITS/AC.
OPEN SPACE	54.25 AC.
OPEN SPACE %	10.5%



with legislators, congressional delegation, etc. Additionally, members get the ability to vote and have a voice at the committee meetings.

Ms. Eileen Leuby, Membership Services MORPC, approached. She explained that as a member, the Township benefits from MORPC's work on cross-jurisdictional affairs such as public and government affairs, energy and air quality, transportation systems and funding, regional data & mapping and planning & environment. As a member, the Township has two seats on the MORPC Board and receives discounts to conferences and summits, access to grant finder services, access to finance meetings and access to connectivity with other entities and organizations. Ms. Leuby stated that MORPC allocated \$3.5M for a multi-use pathway on SR750.

**RESOLUTION #15-1221-09: Authorizing the Payment of Dues and Membership Renewal in Mid-Ohio Regional Planning Commission**

Dr. Mitchell motioned to approve Resolution #15-1221-09. A second on the motion was made by Mrs. Eichhorn. The roll call vote: Mrs. Eichhorn-yes, Dr. Mitchell-yes and Mrs. Leneghan-yes. The resolution passed with 3-yes and 0-no votes.

**ZONING**

Public Hearing to consider the following: LTZ #15-01 filed by Epcon Communities on behalf of Joyce and Harold Hardin and Pastor David Nuhfer on behalf of the Sawmill Baptist Church which is proposed as an amendment to the Liberty Township Zoning Resolution. This application proposes to rezone two separate parcels: Parcel #319-433-02-039-000, also known as 10665 Sawmill Road from Planned Residence (PR) to Planned Residence (PR), and Parcel #319-433-02-038-000, also known as 10635 Sawmill Road, Powell, OH from Farm Residence (FR-1) to Planned Residence (PR) to permit the development of sixty-four (64) single family condominium units, clubhouse, and swimming pool, to be known as The Courtyards at Bradford Court. Both parcels are located in Range 19, Township 3, Section 4, Delaware County, OH. The Zoning Commission voted to deny this application with a 1-Yes, 4-No vote.

Mr. Joel Rhoades, representing the applicant, Epcon Communities, approached and stated that this plan was approved by the Delaware County Regional Planning Commission and that they have met with the Zoning Commission members, neighbors and Sawmill Baptist Church several times. He explained that the 55 and over population in Liberty Township is rapidly growing and that this product serves that demographic. He assured the Board that he will be presenting objective, fact based information tonight and will commit in writing to any modifications agreed upon. Mr. Rhoades stated that four main issues have been the focus of this plan: storm water drainage, perimeter setbacks, a public street through the site and density. In regards to storm water drainage, Mr. Rhoades stated that legally drainage may not be part of the zoning process; however, he stated that this plan will improve the drainage from what exists today. It includes two ponds and a storm sewer system that is expertly constructed and in compliance with the most up to date regulations and will connect to the Wedgewood Place system. The perimeter setbacks on the original plan exceeded Township requirements; however, due to the concern of neighbors, the setbacks were increased. The plan went from 69 homes to 62, with larger setbacks. Mr. Rhoades presented design boards to show property line distances, sight lines from neighboring two story homes to the units on this plan and landscaping. He stated that landscaping will be enhanced as needed to create better buffers. The ranch style homes will have side yard courtyards, creating well maintained backyard passive space with no structures (such as sheds, playsets, etc.). The streets will be private and there will be no public through street, only emergency access, to Waterbury Lane. There will be public path through the subdivision. Mr. Rhoades explained that since the Zoning Commission hearing, two homes have been removed. He stated that there will be almost no school age children but will generate an estimated \$440K annually in tax revenue. Mr. Rhoades reported that architectural improvements have been made; any home that backs up to the surrounding neighborhood will have an enhanced rear elevation, curves have been added to the streets and there will be diversity in the shutters, windows and porches. Mr. Rhoades stated if this plan is not approved, there are a few alternatives to the property. One would include the property staying undeveloped resulting in the drainage issues and the unkempt nature of the soccer fields staying as they are. Another option

