

**CONCORD TOWNSHIP
DELAWARE COUNTY, OHIO**

**APPLICATION FORM
REZONING
PLANNED RESIDENCE DISTRICT (PRD)**

Application Received by Concord Township Staff:

Application Review Dates by Concord Township Zoning Commission:

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Application Determined Complete by Concord Township Zoning Commission:

Application Number Assigned by Concord Township:

PROPERTY LOCATION AND ZONING REQUEST*:

Existing Property Address:	
Parcel Number:	
Current Zoning District:	
Requested Zoning District:	
Proposed Use or Reason for Request:	
Acreeage of Project:	

* Please attach additional pages, if necessary, to complete this section.

APPLICANT INFORMATION*:

Applicant Name:	
Address:	
Telephone Number:	
E-mail Address:	

* Please attach additional pages, if necessary, to complete this section.

PROPERTY OWNER*:

Name:	
Address:	
Telephone Number:	
E-mail Address:	

* Please attach additional pages, if necessary, to complete this section.

ATTORNEY / AGENT*:

(Check one if applicable)

Attorney

Agent

Individual Name:	
Business Name (if applicable):	
Address:	
Telephone Number:	
E-mail Address:	

* Please attach additional pages, if necessary, to complete this section.

SIGNATURES AND ACKNOWLEDGEMENTS:

APPLICANT:

By signing this application, the Applicant hereby acknowledges and consents to the following:

1. The Applicant has reviewed the Concord Township Comprehensive Plan as it relates to the property and the rezoning request subject to this application.
2. The Applicant has reviewed the Concord Township Zoning Resolution as it relates to the property and the rezoning request subject to this application.
3. The Applicant has reviewed and is voluntarily submitting themselves and this application to the applicable rezoning processes and procedures outlined in Ohio Revised Code Section 519.12 and the Concord Township Zoning Resolution.
4. The Applicant acknowledges that Concord Township has no legal obligation to approve this rezoning application.
5. The Applicant acknowledges that this property and the rezoning request subject to this application are unique and are not similar to other properties within Concord Township.
6. The Applicant acknowledges that the property subject to this application is currently used for an economically viable purpose.
7. The Applicant has reviewed this application package and believes it to be complete and accurate to the best of the Applicant's knowledge.
8. The Applicant acknowledges and consents that this application is not considered filed with Concord Township for purposes of Ohio Revised Code Section 519.12 until such time as the Concord Township Zoning Commission has reviewed this application and made a determination that it is complete.
9. The Applicant acknowledges that he / she / it has full authority to submit this rezoning application to Concord Township.
10. The Applicant agrees to be bound by the provisions of the Concord Township Zoning Resolution.

SIGNATURE: _____

Sworn to before me and signed in my presence this ____ day of _____, _____.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES

OWNER:

By signing this application, the Owner hereby acknowledges and consents to the following:

1. The Owner is the owner of the property subject to this rezoning application.
2. The Owner has authorized the Applicant to submit this rezoning application to Concord Township.
3. The Owner has authorized the Attorney and / or Agent designated in this rezoning application to act on his / her / its behalf with respect to this rezoning application.
4. The Owner has reviewed the Concord Township Comprehensive Plan as it relates to the property and the rezoning request subject to this application.
5. The Owner has reviewed the Concord Township Zoning Resolution as it relates to the property and the rezoning request subject to this application.
6. The Owner has reviewed and is voluntarily submitting themselves and this application to the applicable rezoning processes and procedures outlined in Ohio Revised Code Section 519.12 and the Concord Township Zoning Resolution.
7. The Owner acknowledges that Concord Township has no legal obligation to approve this rezoning application.
8. The Owner acknowledges that this property and the rezoning request subject to this application are unique and are not similar to other properties within Concord Township.
9. The Owner acknowledges that the property subject to this application is currently used for an economically viable purpose.
10. The Owner has reviewed this application package and believes it to be complete and accurate to the best of the Owner's knowledge.
11. The Owner acknowledges and consents that this application is not considered filed with Concord Township for purposes of Ohio Revised Code Section 519.12 until such time as the Concord Township Zoning Commission has reviewed this application and made a determination that it is complete.
12. The Owner acknowledges that he / she / it has full authority to submit this rezoning application to Concord Township.
13. The Owner agrees to be bound by the provisions of the Concord Township Zoning Resolution.

SIGNATURE: _____

Sworn to before me and signed in my presence this ____ day of _____, _____.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES

ATTORNEY / AGENT:

By signing this application, the Attorney / Agent hereby acknowledges and consents to the following:

1. The Owner of the property subject to this rezoning application has authorized the Attorney / Agent designated in this rezoning application to act on the Owner's behalf with respect to this rezoning application.
2. The Attorney / Agent has reviewed the Concord Township Comprehensive Plan as it relates to the property and the rezoning request subject to this application.
3. The Attorney / Agent has reviewed the Concord Township Zoning Resolution as it relates to the property and the rezoning request subject to this application.
4. The Attorney / Agent has reviewed and is voluntarily submitting themselves and this application to the applicable rezoning processes and procedures outlined in Ohio Revised Code Section 519.12 and the Concord Township Zoning Resolution.
5. The Attorney / Agent acknowledges that Concord Township has no legal obligation to approve this rezoning application.
6. The Attorney / Agent acknowledges that this property and the rezoning request subject to this application are unique and are not similar to other properties within Concord Township.
7. The Attorney / Agent acknowledges that the property subject to this application is currently used for an economically viable purpose.
8. The Attorney / Agent has reviewed this application package and believes it to be complete and accurate to the best of the Attorney / Agent's knowledge.
9. The Attorney / Agent acknowledges and consents that this application is not considered filed with Concord Township for purposes of Ohio Revised Code Section 519.12 until such time as the Concord Township Zoning Commission has reviewed this application and made a determination that it is complete.
10. The Attorney / Agent agrees to be bound by the provisions of the Concord Township Zoning Resolution.

SIGNATURE: _____

Sworn to before me and signed in my presence this ____ day of _____, _____.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES

REZONING APPLICATION CHECKLIST:

The application package below must consist of all applicable items listed below (except for fees), submitted as fifteen (15) hard copies with original signatures and one (1) digital PDF copy (in addition to any MS Word document(s) as required below). Do not include checklists and instructions pages from the application.

- The Application Form**
- Legal Description of the Property Subject to the Application.** The legal description should be reviewed and stamped as approved by the Delaware County Engineer's Office.
- Boundary Survey.** Such survey shall document the proposed boundaries, size and location of the Planned Residential District drawn to scale.
- Area Vicinity Map / Aerial Photograph.** The area vicinity map should document the proposed Planned Residential District and the parcels immediately surrounding the subject parcel(s). Such map can be obtained from the Delaware County Auditor's Office or other county government agency and should be in reasonable size/scale to show the subject properties. The applicant should also label, on the map, the existing zoning for the properties surrounding the proposed development. In addition to the area vicinity map, the applicant should provide an aerial photo showing the same properties as the area vicinity map and should also be submitted at the same size/scale as the area vicinity map.
- Development Text.** The Development Text should describe in textual form the proposed Planned Residential District. The text should address, among other topics:
 1. The proposed uses to be permitted in the proposed Planned Residential District as authorized by Section 11.03 of the Concord Township Zoning Resolution.
 2. The proposed boundaries, size, and location of the Planned Residential District.
 3. The general development character of the proposed Planned Residential District, including the limitation or controls to be placed on residential and related uses, with probable lot sizes, minimum setback requirements, structure location, and other development features including landscape.
 4. Architectural design criteria for all structures and criteria for proposed signs with proposed control procedures.
 5. The proposed provisions for water, sanitary sewer and surface drainage.
 6. The proposed traffic patterns documenting public and private streets and other transportation facilities, including their relationship to existing topographical conditions.
 7. The relationship of the proposed development to existing and probable uses or surrounding areas during the development timetable.
 8. The proposed size, location, and use of nonresidential portions of the lot(s) including usable open areas, parks, paths, school sites, and other areas with their suggested ownership.

9. The proposed time schedule for development of the site including streets, buildings, utilities, other facilities, and landscaping.
 10. 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 to give township officials definitive guidelines for approval of future phases.
 11. To the extent not addressed in other items contained herein, compliance with the development standards outlined in Section 11.07 of the Concord Township Zoning Resolution.
 12. Specific statements of divergence from the development standards contained in Article XXI, Section 11.07 of Article XI, or existing county regulations or standards and justifications therefore. To the extent such divergences would generally be considered requests for area variances under Ohio law, please address the following factors:
 - a. whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the divergence;
 - b. whether the divergence is substantial;
 - c. whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the divergence;
 - d. whether the divergence would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
 - e. whether the property owner purchased the property with knowledge of the zoning restriction;
 - f. whether the property owner's predicament feasibly can be obviated through some method other than a divergence; and
 - g. whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the divergence.
- Site Plan / Development Plan.** The Site Plan / Development Plan should document in graphical/map form the information contained in the Development Text (to the extent feasible) and the general development character of the proposed Planned Residential District, drawn to scale, that documents the location of planned residential and other structures, planned roads and other means of ingress and egress through the property, probable lot sizes, minimum setback requirements, landscaping, and other development features, including any limitations or controls to be placed on the property.

- Architectural Design Criteria.** The applicant should provide proposed elevations for all structures contained within the Planned Residential District, including documentation of proposed construction materials, colors, and other architectural design features to be included with proposed structures.
- Utility Plan.** The applicant should provide adequate information to document in graphic/map form (such as a separate utility layout plan) and textual form the provision of utilities to the proposed development. This information should consist of:
 1. A graphic/map showing proposed utility layout;
 2. Proposed provisions for water, sanitary sewer, and surface drainage in text form;
 3. Correspondence from applicable utilities, including but not limited to, applicable water service provider, applicable sewer service provider or regulator, applicable electric provider, applicable gas provider, and applicable communications provider documenting that service may be provided by such utility provider to the proposed Planned Residential District;
 4. Feasibility review correspondence from the Delaware County Engineer's Office; and
 5. Such other engineering and feasibility studies, including, but not limited to, stormwater management studies, engineering plans, and other related documents substantiating the reasonableness of the proposed Planned Residential District.

To the extent any documents provided related to the provision of utilities are preliminary in nature and not finalized/approved by the appropriate authority at the time of approval of the Final Development Plan by Concord Township pursuant to this application and the subsequent approval of such utility related plans result in a modification of the Final Development Plan as approved by Concord Township pursuant to this application, such modification shall be considered a substantial departure from the intent of the original proposal pursuant to Section 11.08(d) of the Concord Township Zoning Resolution.

- Traffic Documentation.** The applicant shall submit appropriate traffic analyses as necessary to address proposed traffic generation by the proposed traffic, how the proposed development will address the ingress and egress of such traffic to and from the proposed development, and how the applicant will address the effects of such proposed additional traffic on the area surrounding the proposed development. The traffic analysis shall include a traffic impact study or such other study document as may be required by the appropriate legal authority that regulates traffic related issues associated with the proposed development, and the applicant shall provide all reviews and determinations made by such regulating authority in connection with its review of such analyses, including, but not limited to, any proposed traffic-related improvements that may be required by such traffic regulating authority associated with the proposed development.
- Fire Department Documentation.** The applicant shall provide sufficient documentation that the applicable fire department that would service the proposed development has reviewed and approved the proposed development as it relates to the provision of fire services. If the applicable fire department requires modifications to be made to the proposed development, such proposed modifications shall be included as part of the proposed development and documented in proposed development documents in text and graphic/map form as necessary to document such modifications.

- Landscape Plan.** The applicant shall submit a landscape plan in compliance with Section 11.09 of the Concord Township Zoning Resolution. The landscape plan shall be reviewed by Concord Township's landscape consultant, and the applicant shall insure that all reviews and/or approvals/denials of such proposed landscape plan by Concord Township's landscape consultant are submitted to Concord Township prior to the consideration of the proposed development by the Concord Township Zoning Commission.
- Lighting Plan.** To the extent applicable and in addition to describing the same in textual form in the Development Text, the applicant shall submit a graphic/site plan documenting a lighting plan for the proposed development.
- Sign Plan.** In addition to describing the same in textual form in the Development Text, the applicant shall submit a sign plan documenting the location of proposed signs, elevations of proposed signs, and proposed materials, colors, and other design features of proposed signs.
- Phasing Plan.** If the proposed development is proposed to be developed in phases, in addition to describing such phasing plan in textual form as part of the Development Text, the applicant shall submit graphic/site plans documenting how the proposed development will be developed in phases.
- Proposed Deed Restrictions / Covenants.** To the extent applicable, the applicant should submit proposed covenants, easements, conditions, restrictions, and assessments for the proposed development to document the proposed controls and limitations to be placed on the proposed development.
- Financial Ability to Complete Proposed Development.** The applicant shall submit sufficient information to demonstrate he/she/it has the financial capability to complete the proposed development, including insuring the completion of public services facilities to be constructed within the project. If the applicant intends to seek economic development incentives associated with the proposed development, information related to any proposed incentives shall be submitted as part of the application.
- Application and Related Fees (Non-Refundable)**
 - \$750.00 plus \$200.00 / acre thereafter (\$7,500.00 minimum fee)
 - The initial application fee includes one (1) Zoning Commission meeting, one (1) Trustee meeting, and one (1) initial landscape plan review by Concord Township's landscape consultant.
 - If an application involves a project greater than five (5) acres, the applicant will also be required to pay for the appearance of a court reporter and production of a transcript related to any hearings associated with the proposed development.
 - If the Owner, Applicant, and / or Attorney / Agent request a tabling or continuance of the rezoning application, a \$1,000 fee shall be assessed.

AFFIDAVIT RELATED TO ADJACENT PROPERTY OWNERS:

STATE OF OHIO)

)

COUNTY OF DELAWARE)

Being first duly cautioned and sworn, _____,
(Name)

of _____
(Mailing Address)

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and address(es) of all the owners of record of the property located at

(Property Address)

for which application for a rezoning was filed with Concord Township and that the attached document is a list of the names and complete mailing addresses, including zip codes, as shown on the Delaware County Auditor's current tax list or the Delaware County Treasurer's mailing list, of all the owners of record of property within two hundred fifty (250) feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within two hundred fifty (250) feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property.

SIGNATURE: _____

Sworn to before me and signed in my presence this ____ day of _____, _____.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES

INSTRUCTIONS RELATD TO AFFIDAVIT RELATED TO ADJACENT PROPERTY OWNERS:

1. Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
2. Address of the subject site assigned by Delaware County, Ohio.
3. From real property records of applicable Delaware County Auditor or other applicable government records, such as the County Auditor website, enter the name and mailing address of the owner(s) of the subject property.
4. A proximity report listing the surrounding property owners can be obtained from the applicable County Auditor. This list shall include properties across the street and in other townships, municipalities, or other jurisdictions, if applicable.
 - a. It is the affiant's responsibility to determine the actual address, including personally visiting the properties, if necessary.
 - b. Do not list a mortgage company as a mailing address for the property owner unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner.
 - c. For owner-occupied dwelling units, please also include "or Current Occupant" after the owner(s) name.
 - d. If the property owner appears on the list more than once, please provide only one mailing label.
 - e. Please submit an MS Word document in Avery #5160 format with the application listing the names and complete addresses of the applicant, property owner(s), agent, and surrounding real property owners. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code.
5. The Affidavit must be signed in the presence of a Notary Public. The Affidavit expires six (6) months after the date of notarization.
6. A proposed format for providing such labels is included with this application form.

PROJECT DISCLOSURE STATEMENT:

STATE OF OHIO)
)
COUNTY OF DELAWARE)

Being first duly cautioned and sworn, _____,
(Name)

of _____
(Mailing Address)

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of all persons, other partnerships, corporations, or entities having a five percent (5%) or more interest in the project which is the subject of this application:

(Please list such persons, other partnerships, corporations, or entities by name of the business or individual (including contact name); the business or individual's address (including city, state, zip code); the business or individual's telephone number; and the business or individual's e-mail address. Please use additional pages if necessary.)

SIGNATURE: _____

Sworn to before me and signed in my presence this ____ day of _____, _____.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES

Section 11.06 – PROCEDURE.

- a) In addition to any other procedures set forth in this Resolution, all applications for amendments to the zoning map to rezone lots to this PRD district shall follow the procedures set forth in this section.
- b) Any potential applicant is encouraged to engage in informal consultations with township zoning staff prior to formal submission of an application pursuant to this Section with the acknowledgement that no statement by township zoning staff shall be binding upon either the applicant or the township.
- c) Pursuant to Section 519.12 of the Ohio Revised Code, an applicant shall submit an application to the township zoning commission by submitting the same to the township zoning secretary on one or more forms adopted by the township trustees for such purpose.
- d) The application submitted to the township zoning secretary shall contain full and complete copies of all information identified in the application form(s) and shall be accompanied by any application fees required by the application form(s).
- e) Upon receipt of an application, the township zoning secretary shall notify the township zoning commission chairman of the receipt of such application, and the township zoning commission chairman shall schedule a review of such application by the township zoning commission at the next regularly scheduled meeting of the township zoning commission.
- f) At the next regularly scheduled township zoning commission meeting after the receipt of an application submitted to the township zoning secretary pursuant to this section, the township zoning commission shall review any applications submitted pursuant to this section to determine if such applications are complete.
- g) If an application is determined to be complete by the township zoning commission pursuant to this section, the application shall be deemed filed with the township zoning commission for purposes of Ohio Revised Code §519.12(A)(1) as of the date of the township zoning commission's determination that the application is complete.
- h) Once an application is determined to be filed by the township zoning commission, the township zoning commission shall notify the applicant that the application has been determined to be filed and take all actions required of it by Ohio Revised Code §519.12 related to applications for rezoning.
- i) If an application is determined to be incomplete by the township zoning commission pursuant to this section, the township zoning commission shall notify the applicant

in writing that the application is incomplete and identify what portions of the application are incomplete.