

Application for Planned Residential District (PRD)

November 20, 2023

Property Parcel No.: 600-342-02-016-000, 600-342-02-013-000

(Concord Road between Brodie Boulevard to the North and Tartan Fields Drive to the South)

Applicant: Epcon Communities
500 Stonehenge Parkway
Dublin, Ohio 43017

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ARTICLE XI - PLANNED RESIDENTIAL DISTRICT (PRD)

Section 11.01 - PURPOSE: The Township, recognizing that with increased residential areas which take into account unique natural features, contemporary land use concepts, and a balanced residential environment, hereby provides for the Planned Residential District intending hereby to promote the variety and flexibility of land development for residential purposes that are necessary to meet these demands while still preserving and enhancing the health, safety and general welfare of the inhabitants of Concord Township.

Section 11.02 - APPLICATION: The provisions of this article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to PRD. An owner of the land in the township that is served by centralized water and sanitary sewer may submit an application of change to PRD zoning under the provisions of this Article. The action of the Township upon an application processed pursuant to this section shall be considered a legislative act, subject to referendum.

Section 11.03 - PERMITTED USES: Within the Planned Residential District (PRD), the following uses, developed in strict compliance with the approved development plan and standards, shall be permitted:

a) Residential structures may be either single family or multi-family.

This zoning district will consist of +/-36.471 acres and 54 single family homes, in a condominium legal structure as determined by the developer as shown on Exhibit C-1 Development Plan. There will also be a clubhouse and outdoor recreation and gathering amenities such as a pool, fire pit and pickleball court with related parking, walking paths, a community garden and CBU locations as shown on Development Plan Exhibits.

b) Nonresidential uses of a religious, cultural, educational or recreational nature or character to the extent that 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 in such proximity to the major thoroughfares as to permit access without burdening residential streets.

This use will not be permitted in this zoning district.

c) Public or Private golf courses, country clubs, fishing lakes or similar recreational uses with all buildings and club houses incident thereto including restaurant to serve members and/or users of the facility.

This use will not be permitted in this zoning district.

d) Temporary structures such as mobile office and temporary buildings of a nonresidential character may be used incident to construction work on the premises, or on adjacent public projects, or during a period while the permanent dwelling is being constructed. The user of said structure shall obtain a permit for such temporary use, which shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed no later than ten (10) days after expiration of said permit.

It is not anticipated that there will be a need for temporary non-residential structures, other than sales and construction trailers. Should temporary non-residential structures be necessary for this zoning district, the proper permits will be obtained as required by the Township Zoning Resolution.

Section 11.04 - CONDITIONAL USES: Within the PRD zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals (BZA) pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of BZA approval or are discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and or structure wherein the same is located or upon which the same is granted shall void the conditional use permit, and the subsequent owner(s) or his/her agent shall be required to apply for a continuation and/or modification of such use(s) to the BZA. A designation by the BZA that a permit is permanent and shall run with the land does not affect the right of authorities to seek redress for failure to comply with conditions imposed. No

conditional use shall be implemented until a conditional use permit is issued by the Zoning Inspector.

a) Customary Home Occupations, which are clearly incidental and secondary to residential use, conducted by the resident of a permitted dwelling are subject to the requirements of Section 21.12.

This zoning district will meet the Home Occupation Requirements.

b) Group homes or residential care facilities in which not more than six (6) persons are provided with room, board, specialized care, rehabilitative services, and supervision in a family environment. All such facilities shall have all approvals and/or licenses as required by state or local agencies. In addition to all other conditions deemed necessary, the following conditions shall be imposed by the Board of Zoning Appeals:

- 1) The facility shall comply with Section 11.07, Development Standards.
- 2) No exterior alterations of the structure shall be made which depart from the residential character of the building. All new structures shall be compatible in residential design with the surrounding neighborhood.
- 3) No Group Home should be located within a one (1) mile radius of another such facility.

This use will not be permitted in this zoning district.

c) Model Homes, the same being defined as residential type structures used as sales offices by builders/developers and to display the builder's/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder's/developer's features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor covering, etc.) in the environment of a completed home. Model homes may be staffed by the builder's/developer's sales force. Model homes shall be subject to the following restrictions:

This zoning district will meet the Model Home requirements as follows:

- 1) Hours of operation: All model homes shall be closed between 9:00 P.M. and 9:00 A.M.
- 2) Lighting: All exterior lighting must be down lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home.
- 3) Parking: All model homes shall provide off-street paved parking for the public. Such off-street paved parking shall be located as directed by the Board of Zoning Appeals. The number of required parking spaces shall be six (6) per model home.
- 4) Screening and trash receptacles: Landscape drawing shall be required and shall show adequate landscape and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by the public.

5) Termination of use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when building permits have been issued for ninety percent of the lots therein.

Section 11.05 - PROHIBITED USES:

a) Any use not specifically authorized by the express terms of this article of the Zoning Resolution shall be prohibited.

b) Outdoor storage of inoperable or unlicensed motor vehicles for a period exceeding fourteen (14) days is prohibited. Said 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.

c) No motor home, trailer, camper, boat nor equipment of any type shall be parked in front of the front building line on any lot within this district for more than twenty-four (24) hours in any ten (10) day period. If a dwelling is located on said lot, the building line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum building line established by this Resolution, or the restrictions in the plat, deed, or development plan.

d) No motor home, mobile home or camper of any type may be occupied by a guest of the resident/owner for more than fourteen (14) days. No more than one motor home, trailer, or camper may be occupied for such a period on any lot of record.

Except as specifically permitted in Section 11.03 (d), no manufactured/mobile home shall be placed or occupied in this district. Modular structures in compliance with the Ohio Building Code and designed for placement on a permanent foundation are acceptable.

e) Agricultural activities as prohibited in Section 6.02 of this Resolution.

f) No trash, debris, unused property, or discarded materials which create an eyesore, hazard or nuisance to the neighborhood or general public shall be permitted to accumulate on any lot or portion thereof.

Section 11.06 – PROCEDURE:

In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map to rezone lots to this PRD district shall follow the procedures hereinafter set forth:

a) Application - The owner or owners of lots within the Township may request that the zoning map be amended to include such lots in the Planned Residential District in accordance with the provisions of this Resolution.

The developer is submitting the “Property” (hereinafter defined) for consideration of a zoning change from FR-1 to a Planned Residential District (PRD).

The applicant is encouraged to engage in informal consultations with the Zoning Commission prior to formal submission of a development plan and request an amendment of the zoning map, understanding that no statement by officials of the Township shall be binding upon either.

b) Development Plan - Fifteen (15) copies of the development plan shall be submitted to the Zoning Commission with the application, which plan shall include in text and drawing form the following:

1) The proposed boundaries, size and location of the Planned Residential District drawn to scale.

This zoning district consists of approximately +/- 36.471 acres. The legal description has been submitted as part of the zoning application and is attached hereto as Exhibit B-1.

2) The general development character of the lot including the limitations or controls to be placed on residential and related uses, with probable lot sizes, minimum setback requirements, structure location, and other development features.

See Development Plan attached hereto as Exhibit C-1 and declaration of covenants, easements, restrictions attached hereto as Exhibit G-1.

Each owner of a single-family dwelling shall be a member of a condominium unit owners' association (COA), which shall own and maintain open spaces, community facilities and site amenities. The condominium owners' association shall be formed prior to the closing of the sale of the first home from the developer. Prior to the time the COA is created, the property will be maintained by the developer.

3) Architectural design criteria for all structures and criteria for proposed signs with proposed control procedures.

The exteriors of the homes constructed shall be comprised entirely of stone, brick, cultured stone, EIFS, wood (including engineered wood), cementitious fiber or stucco, or a combination thereof, except for gutters, soffits and overhangs, entry doors, garage doors and other accents. Aluminum and/or vinyl may be used for trim details such as soffits, gutters, shutters, gable end accents, etc.

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 wood 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 same front elevations and/or color treatment shall not be repeated for any home located within one (1) lot on either side or directly across the street from the subject home.

See Exhibit G-1 for Sample COA Declaration.

See Exhibit D6.1 for specifications and limitations for signage for entranceway.

4) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness.

Water

See Exhibit E-2 for Engineering Feasibility Letter and Exhibit E-3 for Delco Water Serviceability Letter.

Sanitary

See Exhibit E-2 for Engineering Feasibility Letter and Exhibit E-4 for Delaware County Sanitary Engineer Letter.

Surface Drainage

All surface and subsurface storm water provisions will comply with the Delaware County Engineer's Regulations, including detention and retention requirements, subject to any waivers granted by the county Engineer's office. The proposed storm water drainage facilities (basins) are shown on the plan. All retention facilities will be wet ponds and detention basins shall be dry. See Exhibit C-1 for Development Plan and Exhibit E-2 for Engineering Feasibility Plan.

All utilities will be underground except for electric and telephone pedestals and/or any other similar appurtenances necessary to service this zoning district.

5) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically.

Access is from a proposed entry drive from Concord Road as shown on the Development Plan, attached as Exhibit C-1. A proposed secondary emergency access drive is provided through the site and to Concord Road, which also serves as driveway access for the neighbor to the south. The secondary driveway and emergency access shall be protected from public access through a design plan with protection details as approved by the Concord Fire Department. The maintenance and upkeep of the emergency access drive shall be the sole responsibility of the COA. Any alternative emergency access to that shown shall be subject to approval, shall involve similar protection from public use and shall be subject to separate agreements with impacted adjacent property owners. Streets shall be private as approved by the Delaware County Engineer's Office. Streets shall be 26 feet in width with on-street parking allowed on one side of the streets, on the opposite side from fire hydrants.

6) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable. Include a list of owners and addresses whose property is contiguous to and directly across from the applicant's property according to the most recent County Auditor's tax list.

The site is bounded by the existing Tartan Fields Golf Course and single-family community development to the West and East across Concord Road, as well as large lot house parcels to the North and South in the surrounding area. See Exhibit A-1 for a list of surrounding owners and addresses.

7) The proposed size, location, and use of nonresidential portions of the lot including usable open areas, parks, paths, school sites, and other areas with their suggested ownership.

See Development Plan, attached as Exhibit C-1 & Open Space Plan, attached as Exhibit C-4 for open space areas, pathways, clubhouse, pool and outdoor recreation amenities. There are +/-22 acres total open space, with +/-10.36 acres protected natural open space, +/-3.38 acres perimeter screening open space, +/-7.69 acres public open space and +/-0.5 acres amenity open space.

8) A landscape plan in compliance with Section 11.09 of Article XI. In addition to the landscape plan, the applicant shall also provide a written proposed timeframe for implementation of the landscape plan after approval of the development plan so as to provide township officials with definitive guidelines as to when the landscape plan shall be completed.

See Landscape Plan attached as Exhibit D-2 & Open Space Plan attached as Exhibit C-4.

9) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.

When zoning and engineering are approved, construction will start in late 2024 or early 2025, and streets and utilities will be developed in two phases. Construction of the units will proceed with the pace of home sales. Landscaping is to be installed with each phase completion. See Phasing Plan Exhibit C-3.

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 calculated to give township officials definitive guidelines for approval of future phases.

This project will be developed in two phases, subject to market conditions and/or weather-related construction and seasonal issues. Each phase is anticipated to take 12-24 months to complete subject to the same market and, construction issues, as well as approval timeframes.

11) The ability of the applicant to carry forth the proposed development plan by control of the land and the engineering feasibility of the plan. If the applicant is not the owner, the applicant must have written authorization from the owner.

The applicant currently has a purchase contract for the property.

12) Specific statements of divergence from the development standards in Article XXI, Section 11.07 of Article XI or existing county regulations or standards and the justification therefore. Unless a divergence from these development standards is specifically approved, the same shall apply to any approved development plan.

See divergence request from section 11.06 (f) requiring plat approval.

Rationale: As this is a condominium development, no plat is required.

See divergence request from section 11.07(b)(3) below to allow a divergence in the twenty (20) foot structure separation to reduce such separation to twelve (12) feet.

Rationale: All homes feature outdoor courtyard spaces as a prominent design feature of patio-style homes and indoor to outdoor living. As designed, the separation between homes creates individual private courtyards. Larger separations do not allow the achievement of this courtyard home design goal.

13) Evidence of the applicant's ability to post a bond if the plan is approved ensuring completion of public service facilities to be constructed within the project by the developer.

At the time of approval of the subdivision plat and engineering plans, a letter of credit from the Developer will be submitted to Delaware County.

c) Criteria for Approval - In approving an application for a Planned Residential District, the reviewing authority shall determine:

1) If the proposed development is consistent in all respects with the purpose, intent, and general standards of this Zoning Resolution.

See Development Plan, attached as Exhibit C-1. The density is ± 1.48 units/acre.

2) If the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

The proposed development is compatible with the comprehensive plan recommendations for PRD single-family development on central sewer at 1.5 du/ac. Pages 44 and 45 of the Comprehensive Plan recognize that communities need to respond to generational needs for housing based on age and the desire of empty-nesters to “downsize” without having to look elsewhere. Concord Township includes a large and growing population of Baby Boomers (20.4% born 1946 to 1964) and Gen-Xers (23.2% born 1965 to 1980). Many existing township residents in these age demographic groups are likely to want the option to “downsize” from their existing homes and purchase an empty nester, ranch style patio home with appropriate amenities and mainly first floor living. Greater access to housing of this type will allow empty nesters and seniors to remain in the community of their formative years and where they have

deep roots and meaningful community connections, consistent with Comprehensive Plan goals.

3) If the proposed development advances the general welfare of the township and the immediate vicinity.

High value owner-occupied, single-family condominium homes consistent with PRD development standards are appropriate for this site. It is surrounded by existing single-family homes and a golf course community with which it will be compatible in style and value. The proposed homes will be primarily targeted to empty-nesters and seniors, a growing population segment within the township and having less impact on infrastructure and traffic than conventional single-family homes and greater tax revenue for schools per pupil and per unit. Based on US Census data, the average occupancy per household in Concord Township is 3 persons per home. The average occupancy of homes within Epcon Communities is 1.7 persons per home. This means 54 conventional single-family homes on this site would produce an expected occupancy of 162 persons, while an Epcon Community can be expected to produce site occupancy of 92 persons on average. Simply put, Epcon Communities produce less occupancy and intensity of daily living than other housing types.

d) Effect of Approval - The Development Plan as recommended for approval by the Zoning Commission and approved by the Township Trustees shall constitute all amendments to the Zoning Resolution as it applies to the lands included in the approved amendment. The approval shall be for a period of three (3) years to allow the preparation of plats required by the Subdivision Regulations of Delaware County, Ohio.

Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved development plan. Unless the required plats are properly recorded and work on said development commenced within three (3) years, the approval shall be voided and the land shall automatically revert to the previous District unless the application for time extension is timely submitted and approved.

e) Extension of Time or Modification - An extension of the time limit or a modification of the approved development plan may be approved by the Zoning Commission and the Township Trustees. Such approval shall be given only upon a finding of the purpose and necessity for such change or extension and evidence of reasonable effort toward the accomplishment of the original development plan, and that such extension or modification is not in conflict with the general health, welfare and safety of the public or development standards of the district. No extension of time shall be granted except on application filed with the Township Zoning Inspector not later than ninety (90) days before the expiration of the three (3) year period prescribed in Section 11.06 (d) as hereinbefore set forth.

f) Site Plans Required - In the Planned Residential District (PRD), no use shall be established or changed, and no structure shall be constructed or altered until the required subdivision plat has been prepared and recorded in accordance with the Subdivision Regulations for Delaware County, Ohio, and this Resolution. The subdivision plat shall be in accord with the approved development plan and shall include:

This section is requested for divergence as no plat is required for the proposed condominium development.

1) Site arrangement, including building setback lines and space to be built upon within the site; water, fire hydrants, sewer, all underground public utility installations, including sanitary sewers, surface drainage and waste disposal facilities; casements, access points to public right-of-way; and land reserved for non-highway service use with indication of the nature of such use.

See Development Plan, attached as Exhibit C-1 for Development Plan

2) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the activities of occupants, including those applicable to areas within the lot to be developed for nonresidential uses.

See Declaration of covenants, easements, and restrictions, attached as Exhibit G-1.

3) In the event that any public service facilities not to be otherwise guaranteed by a public utility have not been constructed prior to recording of the plat, the owner of the project shall post a performance bond in favor of the appropriate public officers in a satisfactory amount ensuring expeditious completion of said facilities within one (1) year after the recording of said plat. In no event, however, shall any zoning certificate be issued for any building or use until such time that the facilities for the phase in which the building or use is located are completed.

At the time of approval of the engineering plans, a letter of credit from the Developer will be submitted to Delaware County.

g) Administrative Review - All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector or his/her designated technical advisors for administrative review to ensure substantial compliance with the development plan as approved. The Board of Trustees may, from time to time, establish fees to be deposited for each administrative review in order to defray the costs associated with such review.

Section 11.07 – DEVELOPMENT STANDARDS: In addition to any other provisions of this Resolution the following standards for arrangement and development of lands and buildings are required in the Planned Residential District:

a) Intensity of Use - The maximum density shall be one and one-half (1 1/2) dwelling units per gross acre within the area to be developed, unless a divergence is approved in accordance with Section 11.06 of this Article.

The Development is proposed to be +/-1.48 du/ac.

The property is adjacent to Concord Road, a significant thoroughfare. This type of empty-nester and senior housing “lives quieter”, is less intense in terms of occupancy at an average

of 1.7 persons per home and has a lower impact on infrastructure, traffic and schools compared with conventional single-family housing at the same density. The developer provides many on-site recreational, social and community amenities for its own residents, taking pressure off local public park and community facilities. Walking paths are incorporated into the community design.

b) Arrangement of Structures

1) Setback Line - The physical relationships of buildings and uses and their minimum yard spaces shall be developed in compliance with the approved plan and the provisions of Article XXI unless a variance is approved.

See Development Plan, attached as Exhibit C-1, for setbacks as established by this plan.

2) Building Height Limits - No building in this district shall exceed thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Barns, silos, grain bins, grain handling conveyors, church spires, domes, flag poles and elevator shafts are exempted from any height regulation and may be erected to any safe height. No windmill, aerial, antenna or tower shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said lot.

This zoning district will meet the building height limitation requirements. Minimum square footage shall be 1,500 square feet for all single-story dwellings.

3) Structure Separation – No structure shall be located closer than twenty (20) feet to another structure and shall be measured from the greater of roof overhangs, cantilevers of the structure, generators, egress window wells and all other structures attached to a primary residence.

Divergence from and reduction of the required twenty (20) feet structure separation down to twelve (12) feet is requested to accommodate portions of larger footprint, predominantly ranch-style and patio homes and portions of buildings to encroach into the twenty-foot (20) area.

c) Building Dimension (Floor space requirements) - Each single-family dwelling hereafter erected in this district shall have a living area based upon design of the structure:

Ranch/Single Story Dwelling with No Loft	1,500 square feet
Single -Story Dwelling with Loft	1,500 square feet
Two-Story Dwelling	2,000 square feet

Any other design of dwelling not referenced herein shall have a living area not less than one thousand five hundred square feet (1,500) square feet. All such living areas shall be exclusive of basements, porches, or garages.

All multi-family buildings constructed within this district shall contain the following minimum living area, to wit:

One (1) bedroom unit	800 square feet
Two (2) bedroom unit	950 square feet
Three (3) or more bedroom units	1,000 square feet

The minimum square footage of proposed single-family homes shall meet this zoning requirement.

d) Landscape – All proposed developments within the Planned Residential District shall comply with the Concord Township Planned Residential District Landscape Standards incorporated in Section 11.09.

This zoning district will meet the Section 11.09 landscaping requirements through a combination of preservation of existing landscape and trees, the incorporation of new mounding, landscape, and fencing as shown on the Landscape Plans, Exhibits D-1, D-2, D-2.1, D-3, and D-3.1.

e) Building Materials - All residential structures proposed in this district shall incorporate natural finishes or synthetic materials as approved by the Zoning Commission and/or the Board of Trustees. Any approved materials must be incorporated on the approved development plat.

See Architectural Design Criteria, 11.06 b.3. for materials

f) Multi Use Paths – All developments in this district must incorporate multi-use paths with a minimum width of eight (8) feet and shall, to the extent reasonably possible, connect with other multi-use paths and/or sidewalks on adjacent properties.

There shall be a 10' width multi-use path located along Concord Road, and 5' width walkways provided within the interior of the proposed development as depicted on Development Plan Exhibit C-1.

g) Site Development - To the maximum extent possible, all-natural drainage courses, vegetation, and contours in excess of six (6%) percent shall be maintained.

This zoning district will meet the above requirement.

h) Parking - Off-street parking shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress according to the development plan. In preparing and approving the parking plan, provisions of Article XXI shall be incorporated when appropriate.

Each single-family home will have at least a two (2) car garage as well as two (2) parking spaces available in the driveway. On street parking shall be provided on one-side of internal streets, on the opposite side of streets from fire hydrants and in designated parking areas adjacent to the clubhouse and community garden.

i) Signs - Except as provided under the provisions of this article for home occupations or as controlled by Article XXII and except as permitted by the Board of Zoning Appeals incident to Conditional Uses, no signs shall be permitted in this district except a "For Sale" or "For Rent" or "For Lease" sign advertising the tract on which the said sign is located. Such sign shall not exceed four (4) square feet in area on either side.

The owner or developer of a subdivision or similar area, upon the conditions and for the time period established by the Zoning Commission, may erect one sign not exceeding thirty-two (32) square feet in area per site advertising said subdivision, development or lot for sale.

Signage shall meet the requirements above. Temporary marketing signage will be utilized and will meet the requirements above. This signage shall be allowed to be placed once approved and remain until ninety-five percent of the homes are sold.

See entranceway signage detail as shown on Exhibits D-6.1, detail 5

j) Construction and Maintenance of Improvements within Right-of-Way - Unless otherwise specifically required by applicable law, the construction and maintenance of all improvements behind the curb line or the edge of pavement including but not limited to drainage improvements, landscape improvements, sidewalks and/or driveways approaches shall be the responsibility of the abutting property owner.

This zoning district will meet the above requirement.

k) Special Additional Conditions - The Township Zoning Commission may recommend and the Township Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscape, development, improvement, and maintenance of common open space and any other pertinent development characteristics.

l) Exterior Lighting - All exterior lighting fixtures will be shaded wherever necessary to avoid casting direct light upon any adjoining property located in a Residential District.

This zoning district will meet the above requirement. See Exhibit D-5 for lighting plan and light fixture details.

m) Performance Standards - All uses within this district shall be in compliance with the provisions of Article XXI, Section 21.11.

This zoning district will meet the above requirement.

n) Accessory Building- No part of any accessory building shall be located in the front yard.

This zoning district will meet the above requirement.

o) Curbs and Base Coat - Curbs and base coat of an approved ODOT material of rolled, compacted concrete (RCC) or asphalt material shall be in place before zoning permits will be issued by the township.

This zoning district will meet these requirements.

Section 11.08 - EXTENSION OF TIME/MODIFICATION OF FINAL DEVELOPMENT PLAN:

a) An extension of the time limit for either filing the required subdivision plat, recording the approved subdivision plat, or enlarging the approval period for either a preliminary or final development plan may be granted by the Zoning Commission without public hearing provided the Commission finds that such an extension is not in conflict with the public interest, that there is a legitimate purpose and necessity for such extension, and that the applicant shows evidence of a reasonable effort toward the accomplishment of the filing and/or recordation of the plat and the completion of the development of the project. A request for extension shall be filed prior to the expiration of the established approval period.

b) Proposed variations from the approved development plan that involve only one (1) lot shall be considered by the Board of Zoning Appeals under its hearing process pursuant to Article XXVIII Section 28.05 of the Zoning Resolution.

c) A request for minor changes to the final development plans shall be submitted to the Zoning Inspector for recommendations to the Board of Trustees, who will have final approval of all minor changes to the final development plans.

d) In the case of a request for a modification or amendment to the approved final development plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of development plan approval as the original application. The following shall be considered substantial departures from the original application.

- 1) A change in the use or character of the development;
- 2) An increase in overall lot coverage of structures and off-street parking;
- 3) An increase in the density;
- 4) A reduction in approved open space;
- 5) A reduction of off street parking and loading space;
- 6) A reduction in required pavement widths;
- 7) A reduction of the acreage in the planned development;

8) Any other departure from the approved development plan which is deemed substantial by the Zoning Commission.

**Section 11.09 – CONCORD TOWNSHIP PLANNED RESIDENTIAL DISTRICT
LANDSCAPE STANDARDS**

See Landscape Plan Exhibits D-1, D-2, D-2.1, D-3, and D-3.1.