



Planning Commission
 Variance & Preliminary Plan
Bonnie Glen Estates Subdivision
 Sharon Township

Meeting: August 3, 2016	Parcel Nos.: 033-12A-26-003, 004 and 005
App. No.: 070-2016-PP	Sublots: 34
Applicant: N.B. 33/ Spicer McDowall	Zoning: R-1 Residential
Engineer: Lewis Land Professionals Inc. /Jason Brenner	Utilities: Septic systems and water wells
Site Area: 53.84 acres	School Dist.: Highland Local
	Reviewer: Susan Hirsch

EXECUTIVE SUMMARY

The site is located on the west side of Boneta Road south of the intersection of Boneta and Ridgewood Roads (see location map). The proposal includes 34 single family sublots on three public streets; one ends stubs to the western edge of the site, and two cul-de-sac streets. The subdivision requires a Variance to permit a road to be in excess of the maximum cul-de-sac length of 2,500 feet. All 34 sublots will be served by on-site septic systems and water wells.

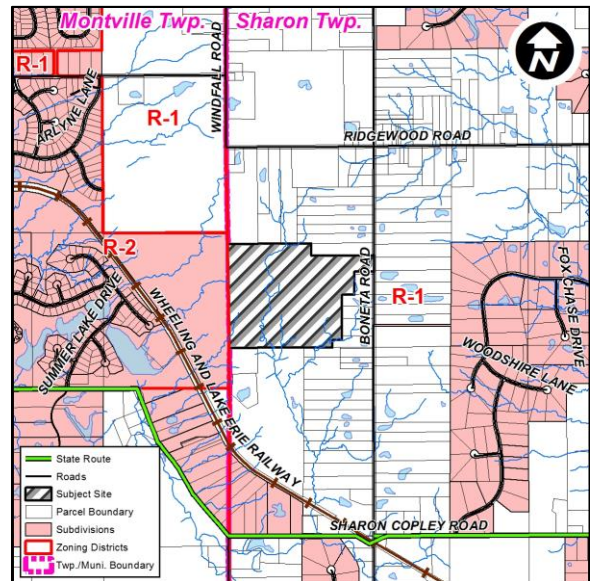
Recommendation: Variance **APPROVAL and Preliminary Plan **APPROVAL WITH MODIFICATIONS****

ADJACENT ZONING/LAND USE

Direction	Zoning	Land Use
North	R-1 Residential	Single family homes (Ridgewood & Bonita Roads)
East	R-1 Residential	Single family homes (Bonita Road)
South	R-1 Residential	Single family homes, vacant, wooded
West	R-2 Residential (Montville Twp.)	Park (Blue Heron Park)

Proposal: The applicant proposes the following:

- 34 sublots.
- Create Bonnie Glen Road that runs east-west across the site from Boneta Road ending in a temporary T-turnaround at the western boundary of the site, and two permanent cul-de-sac-streets, each having sixty feet of right-of-way (ROW) and a 20-foot pavement width.
- Septic systems and water wells.
- Three storm water management basins are to be located on Sublots 9 and 10 in the south central portion of the site, Sublot 20 in the southwest portion of the site and Sublots 15, 16 and 17 in the central portion of the site. There is also a fire pond proposed for Sublots 1 and 2.



Site Conditions: The site is moderately rolling with steeper slopes on the western two thirds of the site; particularly the southwest and southeastern corners of the site (see GIS map). A stream flows from north to south on the western part of the site. A few smaller tributaries also drain to the southern part of the site. There is an existing pond located on Sublots 1 and 2.

Much of the site has been used for agriculture and there are wooded areas on the western half of the site.

Access: Access to the site is provided by Bonnie Glen Road from Boneta Road. Access to Sublots 2 and 34 is limited to Bonnie Glen Road only. Both Streets A and B are proposed to terminate in permanent cul-de-sacs.

Street stubs to the east, and south are not practical for the following reasons:

- Stubs to the east are not practical as the land is currently fully developed with single-family homes with frontage on Boneta Road.
- Stubs to the south are not possible as the parcels are either developed as lots with frontage on Boneta Road or are land-locked parcels.

A street stub to the north may be beneficial for making a connection to Ridgewood Road. The three parcels that could provide access to Ridgewood Road vary in size between 9.4051 and 17.3404 acres. Each of these three parcels contains single-family homes. It may prove difficult to provide access to the subject site utilizing only one of these properties.

A stub street to the west is proposed. As shown, Bonnie Glen Road ends in a “temporary T-turnaround with a 10 foot reservation strip at the western property line. Although Bonnie Glen Road stubs to the west, the street does not add additional access to the subdivision since the property to the west is a Township public park. There is no opportunity for Bonnie Glen Road to become a through street. Therefore this stub will not negate the requirement for a variance.

Bonnie Glen Road requires a Variance from Section 604(B)(9) of the Medina County Subdivision Regulations (Regulations) to permit it to be 2,991 feet in length; 491 feet longer than the maximum permitted cul-de-sac length of 2,500 feet.

History: A Concept Plan for this property was discussed at a meeting on June 15, 2016. At that meeting the need for a variance for the length of a cul-de-sac street was discussed.

Zoning: The subject property is zoned R-1 Residential. The Sharon Township Zoning Resolution indicates single family dwellings are permitted in the R-1 District (Section 601). The minimum lot size is two acres with a minimum 200 foot lot width or 60 feet of frontage on cul-de-sacs with 200 foot lot-width measured at the building line (Section 601-2(A & B).

Comprehensive Plan: The 1996 update of the Sharon Township Development Policy Plan (Plan) does not include a Future Land Use map nor does it recommend future land uses in specified locations. The Plan does, however, indicate that the bulk of the land in the township is zoned R-1 Residential, with a two acre minimum lot size; it further recommends that this land use is appropriate. Goal I of the Plan calls for the preservation of the “rural, small-town

atmosphere of Sharon Township.” This subdivision proposal is consistent with this broad goal and is also consistent with the following objective and policies enumerated in the Plan:

1. **Objective IB:** Maintain the township’s low-density residential environment....
2. **Policy IB.1:** ... [N]ew development shall be compatible with the predominantly rural, small-town residential nature of the community.
3. **Policy IB.2:** New residential development shall be planned at densities appropriate for the township...

Staff Comments: This staff report presents staff comments and recommendations for both the Variance Request and the Preliminary Plan. The Planning Commission must vote on each item separately. Preliminary Plan comments are presented assuming that the Variance is approved.

VARIANCE REQUEST

1. The applicant has requested a variance to Section 604(B)(9) of the Medina County Subdivision Regulations. This Section reads in part:

“A cul-de-sac turnaround shall be provided at the end of all permanent turnarounds in accordance with the standards of the Engineering Code. For greater convenience to traffic, more effective police and fire protection, and efficiency of maintenance, permanent cul-de-sac streets shall not serve in excess of 40 dwelling units, nor have a length in excess of 2,500 feet. The length of the cul-de-sac street shall be measured along the centerline of the proposed cul-de-sac street from the centerline of the nearest existing or proposed intersecting through street to the center of the cul-de-sac turnaround.”

The length of Bonnie Glen Road in combination with Street “B” is 2,991 feet, 491 feet more than what is permitted.

2. The following is the justification for the variance submitted by the applicant:
 - Topographical restrictions for surrounding property;
 - 200 foot frontage makes for long streets with small number of lots;
 - Other stubs will not go to developable property; stubs would go to environmentally sensitive land with steep slopes.
3. Section 203(A)(2) of the Regulations stipulates the criteria for granting variances to the Regulations. The criteria are as follows (Staff comments regarding compliance with the criteria are shown in *italics*):
 - a. In order to approve a variance, the Planning Commission must find that an unnecessary hardship may result from the strict application of the Subdivision Regulations due to exceptional topographic or other physical conditions. *The applicant sites the topographical restraints of surrounding properties as a factor in preventing additional stub streets to surrounding properties. The addition of a stub street to the north or south would alter the point from which the cul-de-sac length is measured and could eliminate the need for a variance.*

Additionally, the surrounding development and parcel configuration are physical conditions that further limit the ability to provide stub streets to adjacent properties:

- *Stubs to the east are not practical as the land is currently fully developed with single-family homes with frontage on Boneta Road.*
- *Stubs to the south are not possible as the parcels are either developed as lots with frontage on Boneta Road or are land-locked parcels.*
- *Stub to the north may prove difficult as there are three parcels each ranging in size between 9.4051 and 17.3404 acres. Each of these three parcels contains single-family homes.*
- *A stub to the west is shown; however, it is the site of a Montville Township's Blue Heron Park with restrictions for future development.*

Topography and natural physical conditions are also a factor in making any internal connection very difficult. If streets "A" and "B" could be connected to form a loop, this would also alter the point from which the cul-de-sac length is measured. However, making this connection would require crossing steep terrain and several streams. This area is also heavily wooded.

- b. *The Planning Commission may vary the regulations so as to relieve an established hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and the community. The Planning Commission may consider self-created nature of the hardship as a factor. The R-1 Residential District requires a two acre lot and 200 feet of frontage. Given this frontage requirement, the 2,500 foot maximum cul-de-sac length requirement limits the number of sublots to fewer than what would be permitted given the acreage of the site and the regulation that permits up to 40 units on a cul-de-sac. The additional 491 feet would not prove a detriment to the public interest, the neighborhood or the community. It is necessitated by the 200 foot frontage requirement.*
4. Section 203 A. 3. of the Regulations states that the Planning Commission action must not conflict with certain policies, as follows:
 - a. *In no instance shall a variance be granted for the sole purpose of increasing economic benefit to the applicant. Although strict adherence to the subdivision regulation limiting cul-de-sac length to 2,500 feet will undoubtedly reduce the number of sublots, it will also significantly reduce the developer's ability to efficiently and effectively use the property and avoid environmentally sensitive areas.*
 - b. *In no instance shall a variance be granted which has the effect of nullifying the intent and purposes of the Subdivision Regulations or a valid township zoning resolution if such exists. Granting of the variance will not have the effect of nullifying the intent and purposes of the Subdivision Regulations or the Sharon Township Zoning Resolution*

Recommendation: Staff recommends that the Medina County Planning Commission grant the variance to Section 604(B)(9) of the Medina County Subdivision Regulations.

PRELIMINARY PLAN

Agency Comments: *Italicized text* indicates quotations from submitting agency comments.

Columbia Gas, Russ Johnson, 7/13/2016. *APPROVED.*

Highway Engineer, Andy Conrad, 7/13/2016.

1. *Temporary turn-around is to be a cul-de-sac.*
2. *Provide a reasonable width for drive access on S/L 20.*
3. *Verify S/Ls 8, 16-20 and 28 will be able to support septic systems.*
4. *Provide typical shoulder/ditch section along Boneta Road frontage.*
5. *Drainage assessments will be required.*
6. *Show existing well and provide plugging report.*

Ohio Department of Transportation (ODOT), Jared Feller, 7/12/2016. *Since the subdivision does not have direct access to a state highway, ODOT does not have any objections.*

Highland School District, Catherine Aukerman, 7/13/2016. *This subdivision is entirely within the Highland School District.*

Soil and Water Conservation District, Jeff Van, 6/6/2016

1. *The... topography is... [i]n some cases, very steep.*
2. *The low lying area consists of Orville silt loam. This soil is... prone to... flooding.*
3. *The broader flat areas are Wadsworth silt loams (WaA and WaB). These soils have slow permeability and seasonal wetness.*
4. *Other flatter areas are Rittman silt loam (RsB and RsB2). These also have slow permeability and seasonal wetness.*
5. *The remaining sloping and steeper ground are Rittman silt loam (RsC2, RsE2, and RsF). These will be more conducive to erosion during construction and individual house building. [T]he proposed lots and house builds are largely located away from these sites.*
6. *Post house construction lot drainage will need to be accounted for to prevent mismanaged surface flows across some adjoining properties.*

Health Department, Christine Fienga, 7/15/2016. *The services of a certified soil scientist must evaluate the soil conditions for each lot and provide a report to this office on the findings of the evaluation in accordance with State Rules Chapter 3701-29.*

Tax Maps, Beth Mika, 7/27/2016. *CONDITIONAL APPROVAL*

1. *No parcel numbers on final plat.*
2. *Please contact the Tax Map Office with the preferred new road names, so we can verify availability and reserve the names for this subdivision.*
3. *It is recommended that the applicant submit the final subdivision plat to Tax Maps for review, before obtaining signatures.*

4. *Subject to Medina County Engineer Land Conveyance Standards found at <http://www.highwayengineer.co.medina.oh.us/surveying/landconveystds.pdf>.*

Sanitary Engineer, Jeremy Sinko, 7/12/2016. *We do not currently have any water or sanitary sewer utilities at this location.*

Staff Comments:

1. The following required data/information was not provided on or with the Revised Preliminary Plan (Subdivision Regulation section references are included):
 - a. Permanent parcel numbers of the property to be subdivided and names of the property owners contiguous to and directly across the street from the proposed subdivision. § 404(C)(2)a.3. ***Indicate names of property owners contiguous to and across the street from the subject site on the Preliminary Plan.***
2. The proposed subdivision is consistent with Sharon Township zoning.
3. The proposed subdivision is consistent with the Sharon Township Comprehensive Plan.
4. The developer shall contact in writing the applicable U.S. Army Corp of Engineers District Office regarding the proposed subdivision, and shall submit such correspondence to the Medina County Planning Commission as a condition of Preliminary Plan approval.
5. There are three proposed storm water management basins that are located on two or more sublots each (Sublots 8 and 9, Sublots 15, 16 and 17, and Sublots 21 and 22). If the storm water management basins will not be maintained by the homeowner association, staff suggests that there be an agreement between the co-owners of the basins addressing use, maintenance responsibility, liability etc.
6. The Plan indicates this subdivision will be developed as one phase.
7. There is a note on the Preliminary Plan that states that there will be no direct vehicular access to Boneta Road from Sublots 2 and 34. Language similar to this note should be placed within the deeds for these sublots as well.
8. Draft HOA documents have been submitted to the Department of Planning Services for review by the Prosecutor's Office and the Township. Final corrected documents must be submitted with the Final Plat.

Recommendation: Staff recommends that the Medina County Planning Commission **APPROVE WITH MODIFICATIONS** the Preliminary Plan for Bonnie Glen Estates Subdivision. The modifications are as follows:

1. The temporary T-turnaround at the western end of Bonnie Glen Road must be a full cul-de-sac.
2. The developer shall contact in writing the applicable U.S. Army Corp of Engineers District Office regarding the proposed subdivision, and shall submit such correspondence to the Medina County Planning Commission as a condition of Preliminary Plan approval.
3. Address the comments from the Highway Engineer and Tax Maps Department.
4. A note on the plan restricting access to Boneta Road from Sublots 2 and 34 should also be placed in the deeds for these units.
5. Maintenance of the storm water basins must be addressed in the HOA documents and/or by private agreement.

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