Variance & Revised Preliminary Plan

Lakeview Pines

Montville Township

Meeting:	June 2, 2021	**Open Space:**	24.5 acres
App. No.:	050-2021-RPP	**Zoning:**	R-2 Single-Family Suburban Residential with Controlled Density Planned Residential Development
Owner:	Jakejosh Land Co. LLC		
Developer:	Jakejosh Land Co. LLC (John Sumodi)	**Utilities:**	Central Sewer and Water
Engineer:	Davey Resource Group	**School Dist.:**	Highland Local
Parcel No.:	031-11B-22-060	**Variance:**	§ 604(B)(9) Stub Streets/Cul-De-Sacs
Site Area:	40.3 acres		
Sublots:	45	**Reviewer:**	Rob Henwood

EXECUTIVE SUMMARY

The 40.5-acre site is located south of Ridgewood Road and west of Windfall Road. The applicant proposes to revise the Preliminary Plan from 26 sublots to 45. All sublots are to be served by public sewer and water. All streets are public. The applicant requests a variance to allow 45 sublots on a cul-de-sac.

Recommendation: APPROVE WITH MODIFICATIONS

ADJACENT ZONING/LAND USE

Direction	Zoning	Land Use
North	R-1 SF & Low Density Residential	Single-family homes
East	R-1 Residential **Sharon Township**	Single-family homes
South	R-2 Single-family Suburban Residential	Park land Railroad right-of-way
West	Montville Lakes PUD/R-2 Single-family Suburban Residential	Single-family homes

Proposal: The applicant proposes the following on the 26-acre site: [1]

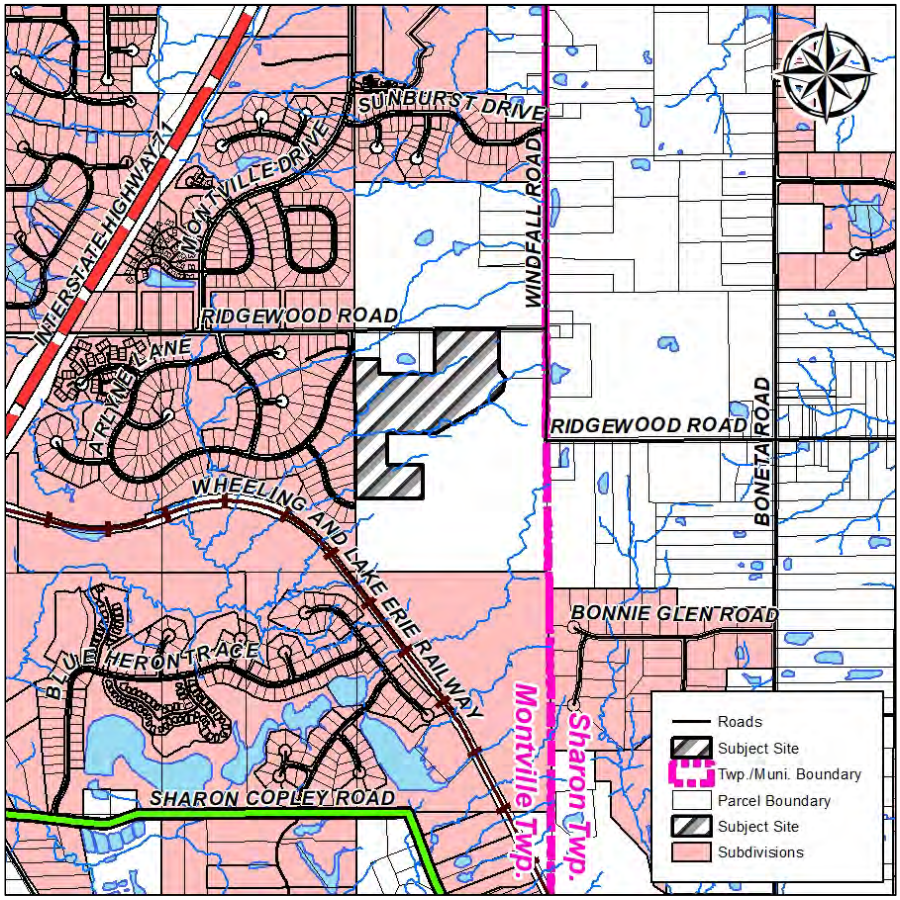
- 45 sublots
- Block A, Open Space (24.5 acres)
- Two public streets; Streets A and B. Street A terminates in permanent cul-de-sacs and accesses to Ridgewood Road
- One Stormwater Management Pond

Access: Access to the site is by street A (with access to Ridgewood Road) which connects to Street B. Street B terminates in permanent cul-de-sacs to the east and west.

[1] For the purposes of this staff review the following Revised Preliminary Plan document was utilized: *Revised Preliminary Plan For Lakeview Pines.* Davey Resource Group. Project Number 2091. 5/3/2021. File name: 2091 lvp rev prelim plan (med co)-55ft lots.dwg. Four sheets: dated stamped by DPS staff 5/3/2021.

Site Conditions: The site is primarily deciduous forest orchard. To the north there are two lakes.

Zoning: The subject property is zoned R-2 Single-Family Suburban Residential. The applicant has elected to utilize the Controlled Density PRD zoning option.



§ 414 (2)B of the Montville Township Zoning Resolution states, "Controlled Density PRDs shall be permitted in R-1, R-2, and R-3 Districts, the objective of which is to provide alternative housing types and the preservation of open space through the flexible arrangement of buildings in a unified development."

Department of Planning Services (DPS) Staff Comments: This report presents a variance request and the Revised Preliminary Plan. The Medina County Planning Commission (MCPC) must vote on each item separately.

VARIANCE REQUEST

1. The applicant has requested a variance to § 604(B)(9) Street Stubs and Cul-de-sacs of the Medina County Subdivision Regulations (Regulations) which states that "permanent cul-de-sac streets shall not serve in excess of 40 dwelling units…"
2. The applicant requests 45 dwelling units be permitted; this is 5 units over the permitted maximum of 40 dwelling units or an increase of 12.5%.
3. The applicant provided the following justification for the variance:

   Lakeview Pines Subdivision Preliminary Plan shows 45 lots per one egress. Due to the environmental and existing conditions constraints: wetlands, streams to the south and west, site distance on Ridgewood to the north, existing lots on western border and existing homestead to the east. We ask that five additional lots be approved per egress = 45.

4. § 203(A)(2) of the Regulations stipulates the criteria for granting variances. The criteria are as follows (Staff comments regarding compliance with the criteria are shown in *italics*):
   a. In order to approve a variance, the MCPC must find that an unnecessary hardship may result from the strict application of the Regulations due to exceptional topographic or other conditions. *A strict application of the regulation could create an unnecessary hardship because the applicant is unable to provide a second means of access; if such access were possible the applicant would not be limited to 40 sublots.*
   b. The MCPC 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 Subdivision Regulations states that the "40 lot rule" is intended to provide for "greater convenience to traffic, more effective police and fire protection, and efficiency of road maintenance." Adding five additional sublots will not materially impact the ability to provide access or to deliver these services. Granting the variance will not impair the intent and purposes of the regulation nor will it impact the desirable development of the neighborhood and community.*
   c. While the regulations provide guidance about establishing if a hardship exists and relieving the hardship, the regulations provide little guidance regarding how much of a variance to grant or how much of a variance is too much. *In the past 14 years the MCPC has granted five variances for the number of sublots on a cul-de-sac. The range of percentage granted over the limit for these types of variances range from 5.00% to 20.00% (see the table above). The average variance granted for all these variances is 17.50%. Granting the variance to allow 45 sublots on a cul-de-sac is well within the range of variances granted by the MCPC in the past.*

MCPC Date	Sub. Reg. §	Variance Description	Limit	Proposal	Variance %
4/4/2018	604(B)(9)	Units on cul-de-sac	40	42	5.00%
1/3/2018	604(B)(9)	Units on cul-de-sac	40	47	17.50%
1/8/2014	604(B)(9)	Units on cul-de-sac	40	50	25.00%
7/3/2013	604(B)(9)	Units on cul-de-sac	40	48	20.00%
12/7/2011	604(B)(9)	Units on cul-de-sac	40	48	20.00%
			200	**235**	**17.50%**

PRELIMINARY PLAN

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

Mark Crumly, Medina Fire Department: CONDITIONAL APPROVAL
mcrumley@medinaoh.org
330.723.5704

A fire hydrant shall be located at the beginning of sublot 45 and every 300 feet from there. No fire hydrant will be needed at the open space between sublot 3 and sublot 44. A fire hydrant shall be located at sublot 35 and every 300 feet in both directions from there. See attached drawings with my markings in red.

Steve Mazak, Medina County Health Department
smazak@medinahealth.org
330-723-9523 Ext. 715

The Lakeview Pines subdivision will be serviced by sanitary sewer and public water, so our office has no further comments.

Jared Feller, ODOT District 3
Jared.Feller@dot.ohio.gov
419.207.7058

Since Lakeview Pines does not have direct access to a state highway, ODOT has no objections regarding the Revised Preliminary Plan.

Paul Jeffers, Planning and Zoning: CONDITIONAL APPROVAL
zoning@montvilletw.org
330.725.8313

- *Subdivision plans have changed dramatically since the first review and preliminary approval. Township Zoning Commission has not yet seen new plan.*
- *The PRD regulations have changed since the previous approval lowering gross density to 1.2 /acre from 1.6/acre; with a net density of 3/acre from 5/acre.*
- *Any variance requests to riparian/wetland areas, gas wells or density previously approved are null and void as they were plan specific.*
- *The general layout fits the intention of the zoning resolution but will require modifications to be compliant.*

Russell Johnson, Columbia Gas Transmission LLC
Russell Johnson@tcenergy.com
330.721.4163

This project does not affect Columbia Gas Transmission LLC's Pipeline.

Jeremy Sinko, Medina County Sanitary Engineer's Office, APPROVAL
jsinko@medinaco.org
330.723.9575

The Sanitary Engineer's Department has no objection to the additional 5 lots.

Matt Martin, Medina County Highway Engineer's Office, CONDITIONAL APPROVAL
mmartin@medinaco.org
330.722.9358

1. *Provide sight distance analysis with field obtained topography.*
2. *Provide well plugging/status reports.*
3. *Existing pond outlet structure to be analyzed for future use.*
4. *Existing pond easement to be offset min. 10' from the maximum water surface elevation.*
5. *Existing pond outlet & overflow route to be included as part of subdivision design.*
6. *Drainage Maintenance Fund to be established.*
7. *Overland flood routes and rear yard drainage systems to be reviewed as part of subdivision review.*
8. *Maintain existing watersheds.*

DPS Staff Comments:

1. The following data/information was not provided on or with the Preliminary Plan submittal as outlined in Article IV Section (§) C of the Subdivision Regulations:
   a. § (2)b.9. Oil and/or gas wells, storage tanks and separator units; including the distances of these facilities from existing or proposed property lines, existing or proposed streets and existing or proposed habitable buildings. If oil/gas wells have been abandoned and plugged, documentation of such from ODNR must be submitted.
   b. § (2)c.18. Wetlands –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.
   c. § (2)d.7. A copy of the Developers Notice of Intent to obtain an Ohio E.P.A. stormwater management permit if applicable.

Recommendation: DPS Staff recommends that the MCPC **APPROVE** the variance to § 604(B)(9) Stub Streets/Cul-De-Sacs permitting 45 sublots on a cul-de-sac. DPS staff also recommends that the MCPC **APPROVE WITH MODIFICATIONS** the Preliminary Plan for the Lakeview Pines subdivision subject to the following:

1. Satisfy all agency comments listed in the staff report above.
2. Submit the required data/information as listed above.
3. Satisfy all DPS comments listed in the staff report above.

The applicant shall provide all requested documentation and three full size copies of the corrected Preliminary Plan (including a PDF copy of the layout) prior to Final Plat submission.

HYDRANT NEXT ONE AT 300 FT.

RIDGEWOOD ROAD

EXISTING 12" SANITARY SEWER

EXISTING 12" WATER MAIN

PROPOSED ADDITIONAL 10' OF ROW. FRONTAGE IMPROVEMENTS, THIS AREA.

PROPOSED SIGN

POND FILL AREA

POND RELOCATION AREA

NO HYDRANTS REQUIRED THIS AREA

EX. HOUSE AND BARN TO REMAIN

STREET A (60')

STREET B (60')

OPEN SPACE BLOCK 'A' 24.5 AC

EX. POND

STREAM IMPACT

PROPOSED FILTER FABRIC, TYP.

EX. WETLAND AND SETBACK, TYP.

EX. STREAM AND 25' RIPARIAN SETBACK, EA. SIDE, TYP.

50' LANDSCAPE BUFFER & BOUNDARY SETBACK

STORMWATER MANAGEMENT, AND EROSION & SEDIMENT CONTROL DURING CONSTRUCTION

22081 FISHLEDER UNIT NO. 4 (ABANDONED & PLUGGED) SHOWN BY RECORD

50' REQUIRED SETBACK, TYP.

HYDRANT THEN HYDRANTS EVERY 300 FT BOTH DIRECTIONS

LAKEVIEW PINES

WINDFALL ESTATES

RIDGEWOOD ROAD (60')

WINDFALL ROAD (60')

ARLYNE LN.

N 89°37'00" E 268.72' Msd.

443.50' Dd. & Msd.

180.00'

722.45'

532.12'

N 89°37'00" E 1434.57' Dd. & Msd.

N 89°37'00" E 271.80'

N 89°37'00" E 443.50' Dd. & Msd.

N 89°37'00" E 623.50'

N 00°57'00" W 492.00'

N 00°57'00" W 492.00' Dd. & Msd.

S 00°57'00" E 492.00' Dd. & Msd.

S 00°57'00" E - 169.63'

N 00°31'48" W 465.44'

N 00°28'54" W 550.00'

S 89°37'00" W 463.84'

S 39°12'16" E 108.53'

S 13°01'30" W 154.83'

S 48°09'49" W 148.15'

S 60°06'59" W 746.48'

N 90°00'00" W 528.64'

N 00°24'09" W 2719.38' Rec. & Msd.

N 00°24'09" W 1571.00'

322.36'

322.37'

SL:1 14,589 SF

SL:2 13,639 SF

SL:3 11,776 SF

SL:4 15,588 SF

SL:5 9,560 SF

SL:6 9,350 SF

SL:7 9,762 SF

SL:8 10,588 SF

SL:9 11,000 SF

SL:10 11,434 SF

SL:11 13,689 SF

SL:12 12,981 SF

SL:13 10,972 SF

SL:14 15,439 SF

SL:15 12,491 SF

SL:16 14,556 SF

SL:17 14,285 SF

SL:18 13,026 SF

SL:19 20,470 SF

SL:20 15,846 SF

SL:21 10,327 SF

SL:22 10,799 SF

SL:23 12,491 SF

SL:24 14,399 SF

SL:25 13,115 SF

SL:26 11,528 SF

SL:27 10,000 SF

SL:28 9,605 SF

SL:29 9,605 SF

SL:30 10,395 SF

SL:31 11,110 SF

SL:32 11,110 SF

SL:33 11,742 SF

SL:34 11,742 SF

SL:35 12,375 SF

SL:36 11,126 SF

SL:37 9,191 SF

SL:38 10,518 SF

SL:39 11,809 SF

SL:40 13,299 SF

SL:41 13,097 SF

SL:42 13,826 SF

SL:43 11,305 SF

SL:44 15,439 SF

SL:45 8,338 SF

Davey Resource Group
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 330.593.7300

DAVEY Resource Group

SCALE (IN FEET)
1 inch = 80 ft.

LAKEVIEW PINES

REVISED PRELIMINARY PLAN

PROJECT NUMBER 2091

DATE

REVISED PRELIMINARY PLAN FOR LAKEVIEW PINES

TOWNSHIP OF MONTVILLE, COUNTY OF MEDINA AND STATE OF OHIO AND KNOWN AS BEING PART OF ORIGINAL MONTVILLE TOWNSHIP LOT No. 104

SITE INFORMATION

PROJECT AREA: 40.3 AC — PARCEL: 031-11B-22-060
0.5 AC EXISTING ROW
12.5 AC PROPOSED LOTS
2.8 AC PROPOSED ROW
24.5 AC PROPOSED OPEN SPACE
PROPOSED DENSITY: 1.1 UNITS PER AC
PROPOSED LOTS: 45
PROPOSED LOT WIDTH: 55' TYPICAL, CUL-DE-SAC: 55' AT BUILDING SETBACK
PROPOSED LOT DEPTH: 150' TO 225'
SURVEY DATE: SEPTEMBER 2019

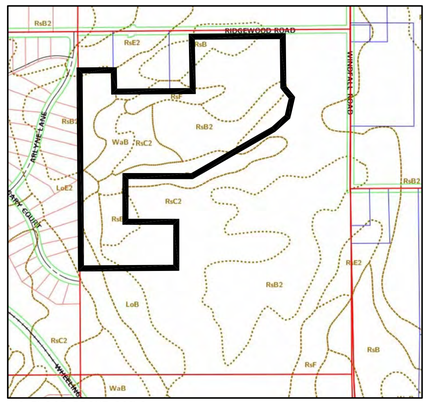
ZONING:
R-2 WITH CONTROLLED DENSITY PRD
CONTROLLED DENSITY PRD: LAKEVIEW PINES

	PER CODE	SHOWN
MIN. PROJECT AREA:	40 AC	40.3 AC
DENSITY:	1.2 PER AC	1.1 PER AC
MAX. DWELLING UNITS:	64	45
MIN. OPEN SPACE REQUIRED:	35% (13.9 AC)	61% (24.5 AC)
MAX. DWELLING UNITS PER ANY 1 ACRE:	3	3
SETBACKS:		
-FROM EXISTING ROW:	50' MIN.	50'
-FROM PROJECT BOUNDARY	50' MIN.	50'
-FROM INTERIOR PUBLIC ROW:	40' MIN.	40'
-BETWEEN TWO FRONT WALLS:	40' MIN.	40' MIN.
-BETWEEN TWO SIDE WALLS:	15' MIN.	15'
-BETWEEN SIDE & FRONT/REAR WALL:	25' MIN.	25' MIN.
-BETWEEN TWO REAR WALLS:	40' MIN.	40' MIN.
-NOTE: MIN. 20' REAR YARD SETBACK, VARIES PER WETLAND/RIPARIAN SETBACK		

VARIANCE REQUEST: MEDINA COUNTY SUBDIVISION REGULATIONS
ARTICLE VI.604.B.9: A PERMANENT CUL-DE-SAC STREET SHALL NOT SERVE IN EXCESS OF 40 DWELLING UNITS.
-VARIANCE REQUEST FOR 45 PROPOSED LOTS

GAS AND OIL WELL REGULATIONS: MONTVILLE TOWNSHIP ZONING CHAPTER 550
-MIN. 50' SETBACK FROM PLUGGED WELL

ENVIRONMENTAL ZONING INFORMATION
RIPARIAN SETBACKS PER MONTVILLE TOWNSHIP ZONING CHAPTER 570:
25' EA. SIDE: >0.5 Sq. Mi. DRAINAGE AREA
PER MONTVILLE TOWNSHIP RIPARIAN SETBACK GUIDE MAP, 25' SETBACK ALL STREAMS.
WETLAND SETBACKS PER MONTVILLE TOWNSHIP ZONING CHAPTER 570:
CATEGORY 1: 25'
CATEGORY 2: 75'
WETLAND CATEGORIES PER HZW 20190919.



NO FLOOD PRONE SOILS

SOILS MAP

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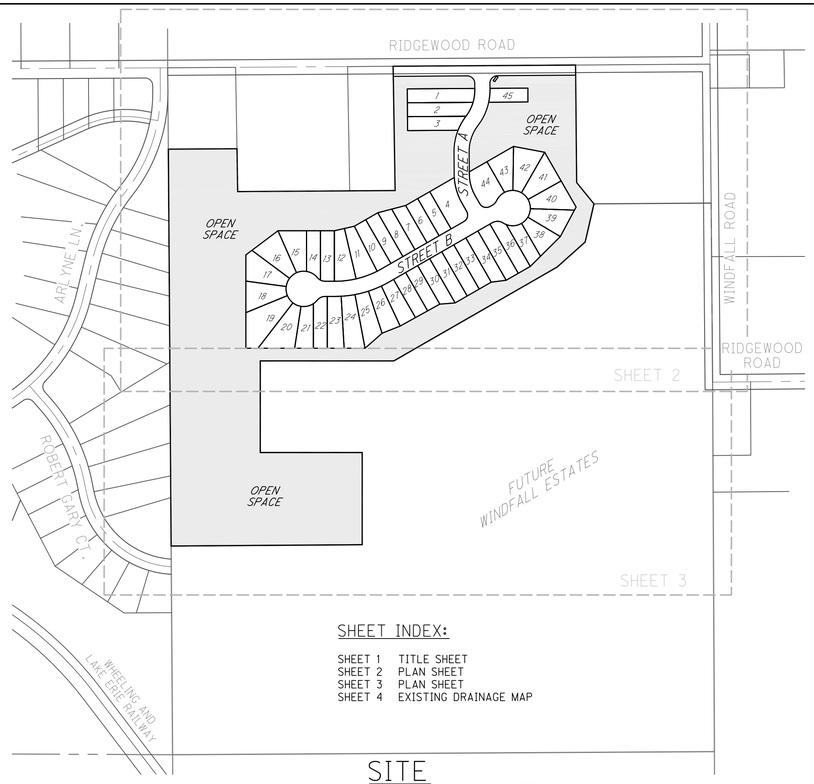
SCALE (IN FEET)
1 inch = 600 ft.



SHEET INDEX:

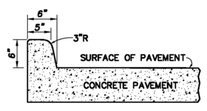
SHEET 1 TITLE SHEET
SHEET 2 PLAN SHEET
SHEET 3 PLAN SHEET
SHEET 4 EXISTING DRAINAGE MAP

SITE

0 150 300 600
SCALE (IN FEET)
1 inch = 300 ft.

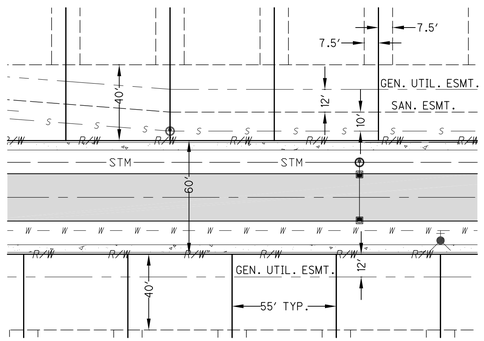
LOCATION MAP

NO SCALE



TYPE 2-A CURB DETAIL

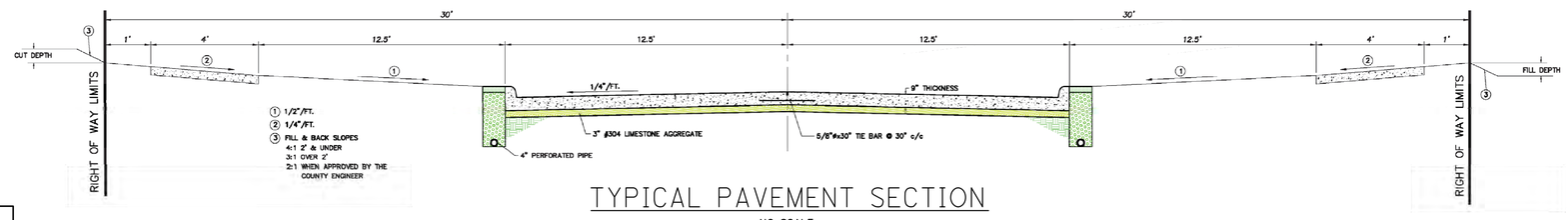
NO SCALE



TYPICAL RIGHT-OF-WAY DETAIL

0 20 40 80
SCALE (IN FEET)
1 inch = 40 ft.

NOTE: CUL-DE-SAC LOT WIDTHS AT 40' BUILDING SETBACK



TYPICAL PAVEMENT SECTION

NO SCALE

OWNER/DEVELOPER:

PARCEL: 031-11B-22-060
JAKEJOSH LAND CO. LLC
3991 N. JEFFERSON STREET
MEDINA, OHIO 44256
JOHN SUMODI
330-722-9884

DESIGN ENGINEER/SURVEYOR:

DAVEY RESOURCE GROUP, INC.
1310 SHARON COPLEY ROAD
P.O. BOX 37
SHARON CENTER, OHIO 44274
TRAVIS G. CRANE, P.E.
330-590-8004

SUBMITTAL INDEX	
SUBMITTAL	DATE
1	10/07/2019
2	05/03/2021

DRAWN BY:	LMT	2021-04-30
CHECKED BY:	TGC	2021-04-30

DAVEY Resource Group

Davey Resource Group
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 330.593.7300

LAKEVIEW PINES
REVISED PRELIMINARY PLAN

PROJECT NUMBER: 2091
DATE: 2021-05-03

1 / 4

Date: 5/3/2021 - 12:58 PM (00:00) Plotted: 5/3/2021 1:00 PM (00:00) Plotted by: TGC 2019 (x32) Scale: (1:1) - Page Setup: (-----)
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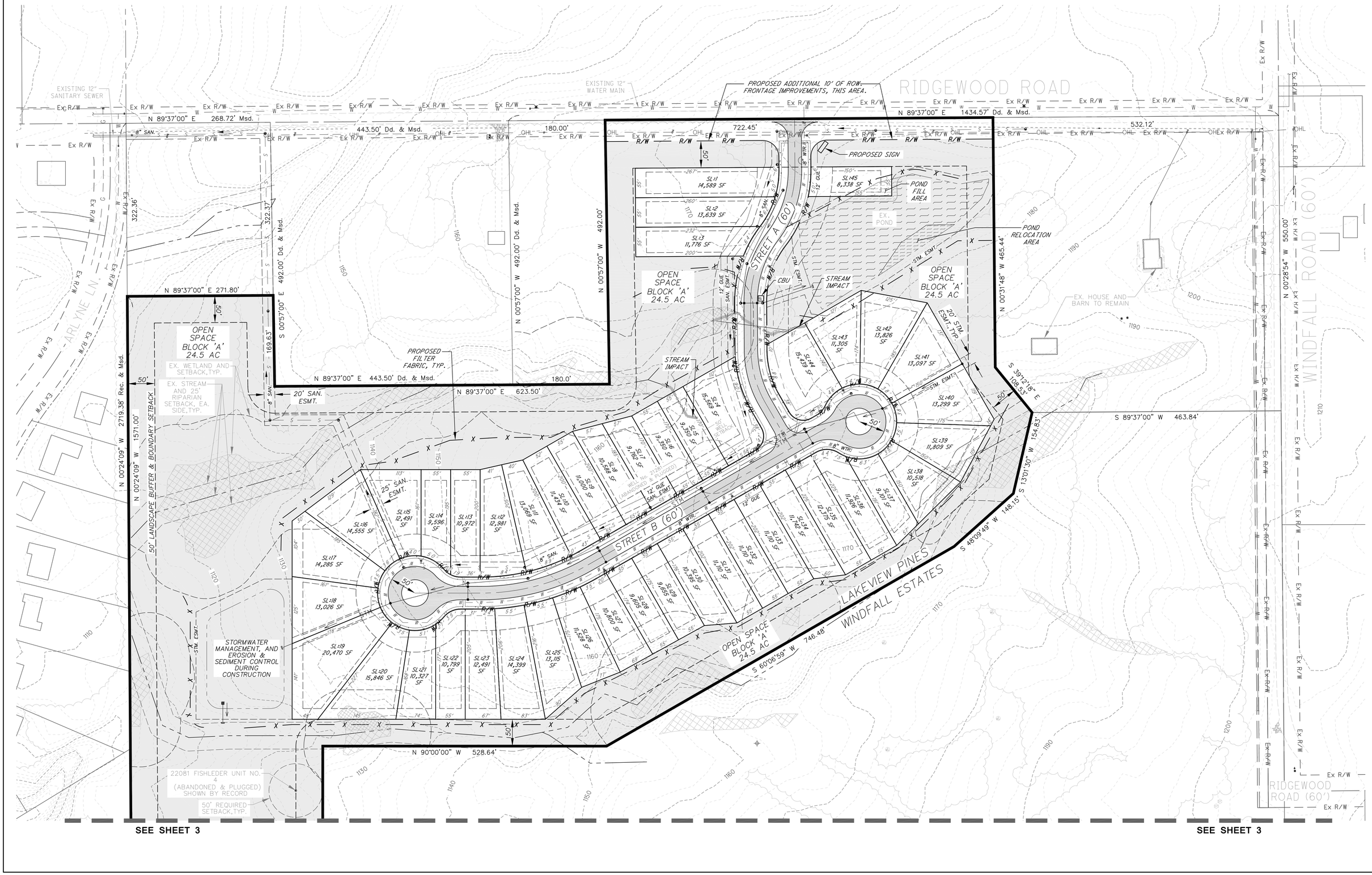

Davey Resource Group
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 330.593-7300

SCALE (IN FEET)
1 inch = 80 ft.

LAKEVIEW PINES
REVISED PRELIMINARY PLAN

PROJECT NUMBER
2091
DATE
2021-05-03

2
4

Date: 11/30/21 Time: 10:30:01 Login: kyle Xrefs: pmain.dwg (bind) xs1-3501_title.dwg Scale: 1:1 Page Setup: (----)

SEE SHEET 2

SEE SHEET 2

N 90°00'00" W 528.64'

22081 FISHLEDER UNIT NO. 4 (ABANDONED & PLUGGED) SHOWN BY RECORD

50' REQUIRED SETBACK, TYP.

S 00°00'00" E 362.68'

N 90°00'00" E 403.37'

N 00°24'09" W 2719.38' Rec. & Msd.

N 00°24'09" W 1571.00'

50'

EX. WETLAND AND SETBACK, TYP.

OPEN SPACE BLOCK 'A' 24.5 AC

EX. STREAM AND 25' RIPARIAN SETBACK, EA. SIDE, TYP.

S 00°00'00" E 365.00'

50'

LAKEVIEW PINES

S 89°35'51" W 756.49'

WINDFALL ESTATES

RIDGEWOOD ROAD (60')

Ex R/W

ROBERT GARY CT.

1100 1110 1120 1130 1140 1150 1160 1170 1180 1190 1200 1080 1090 1070

0 40 80 160

SCALE (IN FEET)
1 inch = 80 ft.

N

Davey Resource Group
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SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 330.593-7300

LAKEVIEW PINES

REVISED PRELIMINARY PLAN

PROJECT NUMBER
2091

DATE
2021-05-03

3
4

User: Kyle Kingsbury I:\Projects\2091 Lakeview Pines\Engineering\Lakeview pines plan - rev2 v3.dwg Xrefs: rev pines plan fixed.ctb-SSH.ctb,dwg Saved: 5/7/2021 4:44 PM (00:00:30) Plotted: 5/7/2021 5:17 PM (00:00:30) PitneyHoe (GC 2019.ctb) Scale: 1(1) Page Setup: (----)

RIDGEWOOD ROAD

WINDFALL ROAD

ARLYNE LN.

ROBERT GARY CT.

STREET A (60')

STREET B (60')

EX. WELL & SETBACK, TYP.

Ex R/W

LEGEND

EXISTING DRAINAGE FLOW ARROW

DELINEATION OF EXISTING DRAINAGE AREAS

PROPOSED DRAINAGE FLOW ARROW

SCALE (IN FEET)
1 inch = 100 ft.

0 50 100 200

N

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SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 330.593-7300

LAKEVIEW PINES

REVISED PRELIMINARY PLAN
EXISTING DRAINAGE MAP

PROJECT NUMBER
2091

DATE
2021-05-03

4
4

File: I:\Dgn files\projects\2091 Hasting\Lakeview pinsite.dgn — mod on \2091 rev rev pinsite.pln (mod rev-2091 rev.rev) Saved: 5/7/2021 1:44 PM (00035) Plotted: 5/7/2021 3:13 PM (00035) Pinsite.stb Doc: 2019.stb) Scale: (1:1) Page Setup: (-----)