

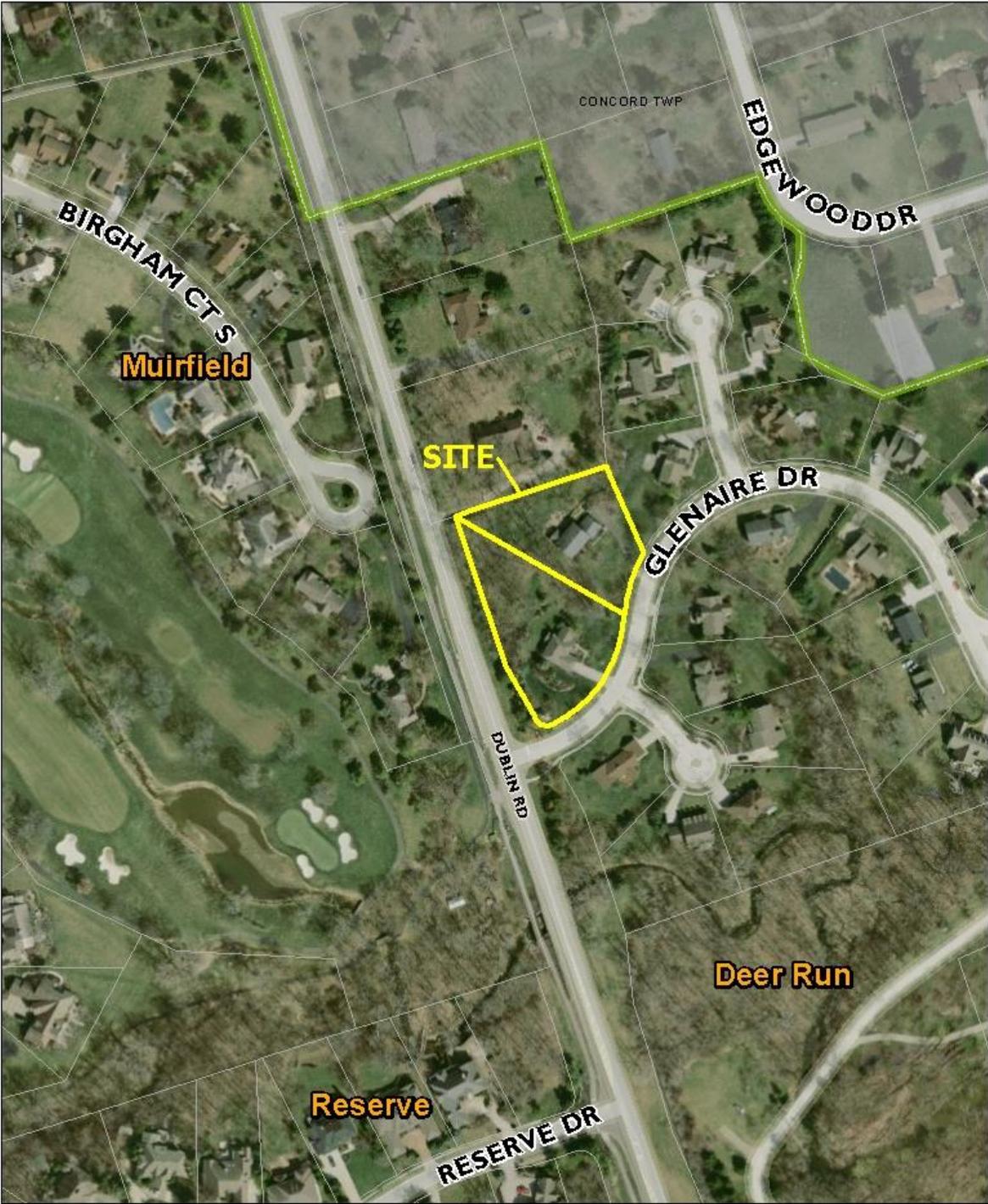
# Planning Report

Thursday, June 19, 2014

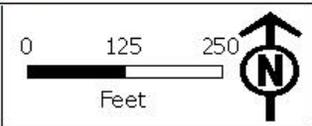
## **Kerry Glen Subdivision – Lots #1 and #2 5126 and 5152 Glenaire Drive**

### Case Summary

Agenda Item	5
Case Number	14-049FP
Proposal	Modification to a platted building setback for two residential lots located in the Kerry Glen subdivision.
Requests	Review and recommendation to City Council for a <u>final plat</u> under the provisions of Chapter 152, Subdivision Regulations.
Site Location	5126 and 5152 Glenaire Drive North side of Glenaire Drive, east of the intersection with Dublin Road.
Applicants	John and Kymn Pilkington and Sean and Crystie O'Neil; represented by Chris Cline, Attorney.
Case Manager	Tammy Noble-Flading, Senior Planner (614) 410-4649   <a href="mailto:tflading@dublin.oh.us">tflading@dublin.oh.us</a>
Planning Recommendation	<u>Disapproval of a Final Plat</u> In Planning's opinion, this proposal does not comply with all applicable review criteria and the intent of the Community Plan. Therefore, disapproval is recommended.



14-049FP  
Amended Final Plat  
Kerry Glen  
5126 and 5152 Glenaire Drive



Facts	
Site Area	2 lots, 1.588 acres total
Zoning	R-2, Limited Suburban Residential District
Surrounding Zoning	<p>North: Three parcels zoned R-1, Restricted Suburban Residential District with single-family residential homes</p> <p>East: Kerry Glen subdivision zoned R-2, Limited Suburban Residential District with single-family homes</p> <p>South: Deer Run Estates PUD, Planned Unit Development District containing single-family residential homes</p> <p>West: Muirfield Village 6 PUD, Planned Unit Development District containing single-family residential homes</p>
Site Features	<p>Triangular shaped lots oriented to Glenaire Drive. Lot #1 has frontage along Glenaire Drive and Dublin Road and is primarily affected by the building requirement along Dublin Road. Lot #2 is affected to a lesser degree but is included in the application in an effort to maintain consistency along Dublin Road. Both lots are heavily wooded to the rear of the properties with minimal visibility from Dublin Road.</p>  <p>The right-of-way for Dublin road increases at the intersection of Dublin Road and Glenaire Drive and continues to widen south of the intersection. This means the setback has a greater effect on Lots #23 and #24, even though the setback for these two lots is 40 feet, rather than 50 feet.</p>

Details		Final Plat
Process	The purpose of the final plat is to assure conformance with the requirements set forth in Sections 152.085 through 152.095 of the Subdivision Regulations, exclusive of other standards in the Code.	

<b>Details</b>	<b>Final Plat</b>
Plat Overview	<p>The Kerry Glen subdivision has a building setback along Dublin Road that ranges from 40 feet to 50 feet depending on which direction the lots are oriented in relation to the subdivision entry. Lots 1 and 2, north of the intersection have a required setback of 50 feet from Dublin Road right-of-way, whereas Lot 23 and 24, south of the intersection, are required a setback of 40 feet. The applicant is requesting to revise the building setback for Lots 1 and 2 from 50 feet to 40 feet to create a consistent setback for all lots located along Dublin Road.</p>
Zoning Setbacks	<p>The purpose of building setbacks, especially along major roadways, is to maintain safe and aesthetically pleasing corridors that promote view sheds along the roadways. The surrounding area has a variety of setbacks along Dublin Road. The lots to the north are required to meet a minimum of 40-foot building setback along Dublin Road, although all three houses are located well beyond this setback. Deer Run Estates, to the south, has a 100-foot building setback.</p> <p>These setbacks were based on the scenic nature of the roadway and the fact that the plat was approved more recently in 1984. The subdivisions on the west is the Muirfield Village 6 houses have been constructed closer to Dublin Road with the closest at 40 feet.</p> <p>The zoning setback for Dublin Road is 80 feet from centerline (40 feet from existing right-of-way) based on the Thoroughfare Plan. The request to modify the building setback would meet this requirement.</p>
Community Plan	<p>The current Community Plan that was adopted by City Council in 2013 has various roadway character classifications that promote significant scenic and historic roadways, including Dublin Road. Objectives of the designation include using setbacks and buffering to create visually pleasing viewsheds, using roadway alignments that follow stream corridors, using vegetation that incorporates topographical changes and shape views, integrating stone walls in the design of roadways, using swales and berms to create a more nature environment than curbs and gutters, and the using natural landscaping materials.</p> <p>The Community Plan designated Dublin Road as a River Corridor roadway, which notes a setback of 60 to 100 feet. This subdivision does not meet this minimum scenic setback. Reducing the setback to 40 feet would further reduce the effect of this designation.</p>

Analysis	Final Plat
Process	Following a recommendation by the Commission, the final plat will be forwarded to City Council for final action. The plat can be recorded after City Council if approval. The applicant would then proceed with the building permit process.
1) <i>Plat Information and Construction Requirements</i>	<p><b>Criterion not met:</b> The applicant's request to reduce the building setback for the two residential lots does affect the intent of the Community Plan's setback according to the roadway classification. This would allow buildings closer to Dublin Road than recommended by the Community Plan. The Planning and Zoning Commission has heard similar requests and felt that adherence to these roadway classifications is an important consideration.</p> <p>The plat includes all required technical information.</p>
2) <i>Street, Sidewalk, and Bikepath Standards</i>	Not applicable.
3) <i>Utilities</i>	<p><b>Criterion Met.</b> The area associated with this building setback does not contain utilities and therefore, will not be impacted by the request.</p>
4) <i>Open Space Requirements</i>	Not applicable.

Recommendation	
Disapproval	This proposal does not comply with the review criteria and the general intent of the Community Plan. Planning is therefore recommending disapproval of this request.

## **Kerry Glen Subdivision History**

### **2013**

- The Board of Zoning Appeals disapproved for a variance on October 24, 2013 to allow a 196-square-foot accessory structure in the required building setback of Dublin Road. The request did not meet the review criteria for a variance.
- Planning met with the applicant to discuss other options including replatting the setback for Lots #1 and #2 from 50 to 40 feet. This prompted the application for the Planning and Zoning Commission.

### **1986**

- City Council approved a subdivision plat for the Kerry Glen subdivision on July 7, 1986.
- The Planning and Zoning Commission approved a Final Plat for Kerry Glen on June 3, 1986 that approved 24 single-family lots on a 17.3 acre tract of land.

## FINAL PLAT

### Review Criteria

The Zoning Code does not contain specific criteria to guide the review of plats. Planning bases the evaluation on the conformance of the plat with the requirements set forth in Chapter 152: *Subdivision Regulations* of the Code, which are summarized below:

- The proposed final plat document includes all the required technical information.
- Construction will be bonded and completed in an appropriate time frame, inspections will be conducted by the City in accordance with Engineering standards for improvements, and maintenance will be completed as necessary.
- The proposed lots, street widths, grades, curvatures, intersections, and signs comply with the standards set forth in these Code sections.
- The proposal includes provisions for water, storm drainage, sanitary sewer, electric, telephone, and cable supplies in accordance with approved standards.
- The proposed development complies with the open space and recreation facility requirements or payment into the Parkland Acquisition Fund is made in lieu of dedication.

In addition, the Planning and Zoning Commission is to determine that the final layout and details of the final plat comply with the approved preliminary plat. The Commission is to consider several factors in making its recommendation:

- 1) The final plat conforms with the approved preliminary plat;
- 2) The plat conforms to the adopted Thoroughfare Plan and meets all applicable parkland dedication and open space requirements; and
- 3) The final plat conforms to the subdivision and zoning regulations, municipal stormwater regulations, and other applicable requirements.