

STATEMENT OF HARDSHIP

Applicant: Maronda Homes
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Owner: Bates Real Estate LLC
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Amanda, Ohio 43102

Address: o Ashville Pike
Parcel No.: D13-0-040-00-001-00
Zoning Districts: RE to PUD
Date: November 10, 2021

1. ESTABLISHMENT AND PURPOSES.

This Statement is provided in support of the Applicant's Applications for Rezoning and Preliminary Plat.

This Planned Unit Development District (PUD) is proposed to provide flexibility in the arrangement and design of the subject property ('Site'). The Site incorporates various design components and two uses, those being: (a) single family; and (b) apartments/multi-family. The Site is 146 +/- acres, located on both the east and west sides of Ashville Pike. This physical layout allows for diversity of for the overall aesthetic, which is specifically branded with landscaping and entry to create a larger 'neighborhood' without redundancy of home type. The design components within the overall site include areas with a conventional grid pattern as well as areas with contoured street patterns. The PUD is designed to produce more efficient use of the land, so that open space is meaningful as a Central Park type asset for community use and enjoyment. Too, the development provides a clubhouse, pool and dog park for the residents.

The Ashville Code encourages creativity in development. The PUD Site Plan creativity achieves

- (a) A variety in choice of living environments (single or multi-family) as well as different housing and building types. By permitting a slightly increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements, the open spaces are augmented for maximized use and enjoyment.
- (b) A more useful pattern of open space and recreational areas.
- (c) A development pattern which addresses and utilizes natural topography and retains scenic vistas through longer open space views. The use of trees and other vegetation are for both screening of adjacent properties but also for visual cues and to set the 'brand' of the neighborhood.
- (d) The Applicant has specifically incorporated staff recommendations for smaller roads and where not contrary to the vista of a 'central park' used shorter streets for such purposes.
- (e) The Applicant has likewise included the staff recommendation to achieve full connectivity of the site through sidewalk and multi-use path networks. In addition, considerations for both active and passive use of open space allows for paths and walks to incorporate the natural features. The development is fully integrated among land uses, ties to both sides of the streets and sets a harmony with the land use density and neighborhood facilities as aspired to within the Ashville Comprehensive Plan.

2. PERMITTED USES.

The following uses shall be permitted in the PUD District:

- (a) Single family residential.
- (b) Multi-family residential.
- (c) Schools, parks and playfield facilities.

- (d) Churches and other institutions for the purpose of religious worship.
- (e) Recreational facilities and amenities as set forth herein and as shown on the PUD Site Plan.

3. PROCEDURE FOR APPROVAL.

(a) In General. This PUD is established to permit the uses set forth above and to set forth the minimum density as 396 single family lots (3.55 u/a) and 369 multi-family units (12 u/a). An application for Preliminary Plat approval is submitted contemporaneously herewith.

4. STANDARDS.

(a) General.

(1) Except as may be set forth herein to achieve the established principles and intended goals and objectives of the Village P. & Z. Board, for a PUD as provided in the Ashville Code, the development shall be in conformance with Zoning Ordinances and Resolutions and applicable Subdivision Regulations in effect at the time of PUD and Preliminary Plat approval.

(2) The residential uses are permitted within a PUD and further are compatible with the proposed and existing surrounding land uses as well as the Ashville Comprehensive Plan.

(3) The arrangement of land uses and buildings on the site integrate the topography, natural features, develop views, and the arrangement of usable common open space. Traffic access shall be as shown on the PUD Site Plan.

(4) Sub areas shall be as shown on the PUD Site Plan, subject to final engineering and administrative approvals.

(b) Specific - Residential.

(1) The maximum number of dwelling units for single family shall be 396, for a gross density of 3.55 +/- units per acre. The maximum number multi family dwelling units shall be 369, for a gross density of 12 units per acre.

(2) Total lot coverage shall not exceed (60%) of gross site acreage (defined as coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement).

(3) Open space areas shall be as shown on the PUD Site plan.

(4) There are no minimum lot size, lot width, building or structure setback requirements except as noted on the PUD Site Plan.

(5) Telephone, electrical, cable and other utility appurtenances shall be underground.

(c) Miscellaneous/Additional Standards

(1) A Traffic Study is submitted with this Application, pending review by Village Engineer

(2) The Applicant shall coordinate for compliance with urban forester regarding internal street trees to be installed at 1:50 linear feet.

(3) Landscaping and buffering shall be as shown on the PUD Site Plan. Landscaping along both sides of Ashville Pike shall be determined at the time final development plan and shall be the same in materials and treatment to create a single and cohesive neighborhood brand, including street trees at the rate of 1:50, and additional mounding and shrubs, which may be evenly spaced or grouped. Landscaping between the single-family homes and multi-family homes shall include trees at a rate of 1:75 feet and shrubs and planting, all of which may be evenly spaced or grouped as shall be determined at final development plan.

(4) Multi-use paths shall be developed in, around or through open spaces to create continuous access and walking paths, with provisions for benches and/or gazebo type facilities, and shown on the final development plan, as may be determined at the time of final development plan approval.

(5) Each open space shall have a landscape detail plan provided at the time of final development plan. Plantings shall be reviewed with the urban forester for local species and to enhance the visual appeal of such areas.

(6) Cluster boxes, and parking for same, shall be as shown on the PUD Site Plan.

(7) Except as provided in this text and the PUD Site Plan, the PUD shall comply with Ashville Code in effect at the time of PUD rezoning and Preliminary Plat approval.

Respectfully submitted,

____/s/ *Laura MacGregor Comek, Esq.* ____