

# The Courtyards at Violet Meadows

Violet Township, Fairfield County, Ohio

## Development Text

**Revised 02/10/26**

**Applicant/Developer:**

EC New Vison Ohio, LLC  
Kelly Fankhauser

**Property Owner:**

Violet Meadows Farms LTD  
6725 Blacklick-Eastern Road NW

**Legal Counsel:**

Tom Hart, Attorney of Counsel  
Painter and Associates

**Engineer:**

Mike Reeves, PE - Kimley Horn

**Land Planner/Landscape Architect:**

Linda Menerey, PLA - EMHT

**Property Acreage:**

60.62 Acres

**Tax Parcel Number:**

0360086101

**Requested Zoning:**

PD District - Planned Residential District

**Exhibits:**

Exhibit A - Development Plan

Exhibit A-0 Cover Sheet with Vicinity Map

Exhibit A-1 Illustrative Site Plan

Exhibit A-2 Existing Conditions Plan

Exhibit A-3 Site Plan

Exhibit A-4 Conceptual Utility Plan

Exhibit A-5 Setback Plan

Exhibit A-6 Open Space and Pedestrian Connectivity Plan

Exhibit A-7 Street Tree and Landscape Key Plan

Exhibit A-8 Clubhouse Landscape Plan

Exhibit A-9 Conceptual Landscape Buffer Enlargement

Exhibit A-10 Entry Landscape and Lighting Plan

Exhibit A-11 Typical Signage Plan and Details

Exhibit A-12 Conceptual Landscape Plan Enlargements and Details

Exhibit A-13 Typical Courtyards and Details Plan

Exhibit A-14 Marketing Key Plan

Exhibit A-15 Sales Trailer Landscape and Signage Plan

Exhibit A-16 Model Home Plan and Details

Exhibit A-17 Phasing Plan

Exhibit A-18 Wetland Exhibit

Exhibit A-19 Backlick Eastern Street View

Exhibit A-20 Proximity Map

Exhibit B - Adjacent Property Owners

Exhibit C - ALTA/Legal Description

Exhibit D - Clubhouse Architectural Rendering

Exhibit E - Unit Architectural Renderings

Exhibit F – Craftsman Color Palette

Exhibit G – Typical Unit Landscape Plans

Exhibit H – Sample COA Declaration

Exhibit I – Draft Traffic Access Study

**Note:**

Because of the special characteristics of Planned Residential Districts, special provisions governing the development of land for this purpose may be required. Whenever there is a conflict or difference between the provisions of this PD Development Text and the Development Plan and those of other sections of the Violet Township Zoning Code, the provisions of this Development Text and the Development Plan shall prevail for the development of land for Planned Residential Districts. Subjects not expressly covered by Section 3V of the Violet Township Zoning Code shall be governed by the respective provisions found elsewhere in this Zoning Code that are most similar to the proposed use.

**I. Project Narrative:**

**Age Restriction:**

The Courtyards at Violet Meadows will facilitate the development of an age restricted residential community. The vast majority of this zoning district will consist of housing that is age restricted in accordance with the “Housing for Older Persons Exemption” (codified at 42 U.S.C.3607) (the “HOPA Exemption”) of The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601-3619) (The “Act”). The Act and the HOPA Exemption provide in part that, in order for a residential development to meet the requirements to be age restricted, at least 80 percent of the units in the development must have at least one occupant who is 55 years of age or older.

Homes within this zoning district shall be age restricted in accordance with the Act and the HOPA Exemption so 80% of the homes shall be required to have at least one occupant that is age 55 or older. Should the Act and/or HOPA Exemption be amended at any time following the effective date of this development text so that it becomes illegal to market and operate this zoning district in accordance with the immediately preceding sentence, then this zoning district shall be permitted to be developed and operated in accordance with the amended law.

Compliance with the Act and the HOPA Exemption shall be the sole responsibility of the property owner(s), the applicant/developer of the property, and the COA (as such term is defined in the next paragraph). Failure to comply with the ACT and /or the HOPA Exemption shall constitute a zoning violation that is enforceable by the Township.

Prior to the issuance of the first building permit for construction of a home in this zoning district, the applicant/developer shall provide evidence to the Township that it has recorded, with the Office of the Recorder of Fairfield County, Ohio and against all portions of the zoning district, a written restriction (a “Recorded Restriction”) requiring that the property may only be developed and operated in accordance with the Act and the HOPA Exemption as described in the immediately preceding paragraph. The Recorded Restriction shall provide the Township with the legal right, as a third-party beneficiary thereunder, to compel the applicant/developer and all other future owners of any portion of real property to adhere to the requirements

of the Act and the HOPA Exemption. Prior to the recording the recorded Restriction , the applicant/developer shall deliver a draft copy of the Recorded Restriction to the Township’s Legal Counsel for reasonable review and confirmation (which shall not be unreasonably withheld or delayed) that the instrument does, in fact require the real property which is the subject thereof to adhere to the requirements of the Act and the HOPA Exemption.

**Project Description:**

The Courtyards at Violet Meadows will promote progressive and orderly development of land construction thereon by encouraging the Planned Residential District to achieve and provide:

- a maximum choice of living environments by allowing a variety of housing models and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and acre requirements;
- a more useful pattern of open space and recreation areas
- a development pattern, which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns;
- a more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utility lines and streets.

Epcon Communities, applicant of the Courtyards at Violet Meadows, has provided a superior product in the marketplace for almost forty years. Today, more than 35,000 families and individuals call an Epcon Community “Home.” Our communities have become the gold standard for “age targeted – senior oriented residential homes with features designed for the empty nester market.

As they age, many existing residents desire to remain in the community of their defining years, where they have formed lifelong relationships and deep local roots. Many of these residents choose to “downsize” from conventional single-family homes but also seek different home designs and housing options to suit changing lifestyles and needs. Many empty nester residents are also ‘trailing’ children and grandchildren who’ve settled in Violet Township for the excellent schools. The nature of Epcon Communities’ developments, the age demographic and lifestyles of its residents mean the Courtyards at Violet Meadows will have fewer occupants per home, less intensity in daily living and less impact on traffic, schools, parks and infrastructure than conventional single-family housing. The nature of Epcon’s development, the lower occupancy, smaller development footprint and less intensity of daily use justify higher unit density on this site than base code as is more fully explained herein.

The project consists of approximately 60.6 acres of land located along the south side of Blacklick-Eastern Road NW, east of Pickerington Road NW and west of Toll Gate Road. It currently has two zoning categories on the parcel. A small portion of the northwestern portion of the property, less than 25 percent of the parcel acreage, is zoned R-1 Single Family Residential and the balance of the property is zoned R-2 Single Family Residential.

The existing site contains agricultural fields, gas well (under de-commissioning) and woods. A small family cemetery plot is also in the northeast portion of the site. The agricultural fields are relatively flat and bisected by a small intermittent stream crossing northwest to southeast and connecting wooded areas along the northeast to southern portions of the property. Another stream is present along the eastern portion of the property within the woods and continues offsite to the south. The site also contains several existing farm ponds and wetlands.

Adjacent Zoning and Land Uses currently located around the development: (See Exhibit A-2)

- West: Single Family Residential Lots along Pickerington Road NW, Zoned R-1
- East: Single Family Residential Lots east of the property along the south side of Blacklick Eastern Rd and Toll Gate Road, Zoned R-2,
- North: Single Family Residential Lots along Optimara Dr. in Violet Meadows Section 3 (Zoned PRD), Eagle Rock Ministries Church (Zoned R-1) and several large single-family lots fronting Blacklick Eastern Rd. (Zoned R-2)
- South: A single undeveloped lot owned by Tollgate Road Properties, LLC, Zoned R-2

The applicant, EC New Vison Ohio, LLC., is requesting to rezone the property to the Planned Residential District. The development will consist of not more than 139 detached single family condominium units targeted to the “empty nester” market. This residential market segment is currently under-served in Violet Township.

- Acreage ± 60.6 Acres (gross) /± 59.4 Acres (net)
- Number of Condominium Units 139 Units
- Open Space Acres/Percentage ± 28.9 Acres/ ± 47.7 % (gross)
- Gross Density/Net Density ± 2.29 Units /Acre (gross) +/- 2.34 Units /Acre (net)

This property will be developed as a condominium development per Ohio Revised Code Title 5311. Condominium" is defined as a form of real property ownership in which a declaration is filed submitting the property to the condominium form of ownership pursuant to Chapter 5311 and under which each owner has an individual ownership interest in a unit with the right to exclusive possession of that unit and an undivided ownership interest with the other unit owners in the common elements of the condominium property.

The detached single family condominium units will be arranged along private streets in walkable neighborhood blocks. Due to the site configuration, topography and adjacent development, the only public access points to the development will be a full-service curb cut along Blacklick Eastern Road. A secondary fire access drive is also provided along Blacklick Eastern Road, approximately 420 feet east of the full-service curb cut. Since the development only has a single entrance, there will not be cut through traffic.

The condominium units are intended to be located close to the streets to encourage a neighborhood feel. A five-foot sidewalk shall be provided along one side of the street connecting each block to proposed amenities. A main amenity area is provided near the entrance along Blacklick Eastern Road for the use of the property owners and shall consist of a clubhouse with community room, kitchen, lavatories, offices, front and rear porches, pool, pool deck, paved parking lot and two (2) pickleball courts. Additional amenity areas provided internal to the development include areas for both active and passive recreation. Active areas include a path along Blacklick Eastern Road, sidewalks throughout the community. Passive areas include large open spaces along the middle stream and tree/ stream preservation areas along the south and eastern portion of the property. Walks connecting to seating areas with benches adjacent to the ponds are provided for viewing wildlife in the ponds, streams and natural wooded reserves. Refer to Exhibit A-3 Site Plan and Exhibit A-6 Open Space and Pedestrian Connectivity Plan.

**Home Features:**

Each unit will feature a minimum two car-attached garage with additional storage space, (the largest home, the provenance, has a 3-car garage), first floor master bedroom, a minimum of two full bathrooms, second bedroom or den on the main floor and optional second bonus suites which may contain a loft, den or bedroom. Units will provide overall first and second floor living area ranging from 1,400 square feet to over 4,000 square feet based on selected owner options (not including garages.)

The developer intends to offer a range of seven (7) floor plans. Four home floorplans feature a unique side courtyard. These side courtyard homes have no rear patios or rear living. The side courtyard homes will be required for homes located along the property perimeter to limit rear area activity. These are indicated by building envelopes 21-27 and 74 -105. Three additional home floorplans offer rear patios which may only be built on building envelopes abutting the tree preservation area or adjacent to storm ponds, as generally shown on the Development Plan on building envelopes 28, 29, 32-38, 131, 136-138, 107 and 108.

The development project will be constructed in three (3) phases with the first phase beginning at Blacklick Eastern Road, which will include the building envelopes north of the stream and then extend south of the stream (to include the sewer extension) and two more subsequent phases. Pending appropriate design and engineering approvals, the applicant anticipates moving forward with the first phase of construction in Winter of 2026/2027 with subsequent phases developed based on market conditions. Since the development will be constructed in phases over several years, the developer reserves the right to continue to farm portions of the property that are not being developed.

**Infrastructure Summary:**

**Sanitary Sewer:** An existing 15" sanitary sewer is located 1,000 feet south of the property and Epcon is working with Fairfield County Utilities to extend from the existing sanitary manhole to just north of the Berean Baptist Church. A force main will pump sewage from the southwest corner of the proposed development to the sanitary

sewer.

**Water:** An existing 12" public waterline is located on the south side of Blacklick Eastern Road. A private water system will serve all units, including the clubhouse. The private water system will tap into the existing 12" water main and pass through a master meter for the development.

**Storm Water:** Two unnamed tributaries to Sycamore Creek flow through the site: one running from the northwest corner of the site to the southeast where it meets the second stream that runs from north to south along the eastern property line. A storm sewer will be constructed throughout the site and will route the storm water to three basins. The basins will be designed and constructed to provide storm water detention and water quality for the site.

**Gas, Electric and Telecommunications:** Shall be provided by private utility companies serving the property.

### **Open Space Summary:**

The following summary describes how open space requirements are satisfied and provided on site.

The development incorporates many open space areas that total approximately 28.9 acres/47.7% of the overall gross site area and 48.6 % of the net site area. The open spaces provide active and passive recreation with amenities including a community clubhouse, pool, pickleball courts, passive walking areas, seating areas with benches, tree preservation areas, preserved drainage ways, ponds and landscaped areas. An Open Space Plan and Pedestrian Connectivity Plan is provided on Exhibit A-6 which provides the location of each open space with acreage, use and maintenance responsibilities

The Violet Township Zoning Regulations- Planned Residential District requires the site to have a minimum of thirty (30) percent of the total gross acreage to be provided as open space. The site, which is 60.6 acres is required to have 18.19 acres of open space ( $60.6 \times 30 \% = 18.19$ ). The open space provided on the site is  $\pm 28.9$  acres/47.7 % gross and 48.6% net, which is 10.91 acres more than required by The Violet Township Zoning Resolution. The clubhouse, pool parking lot and pickleball total approximately 0.6 acres/ 2.1 % of the total open space.

The open space as required by the zoning resolution is shown on Exhibit A-6. This open space does not include the yard space for each unit, the private streets or the off-street parking areas. The applicant can only use the areas of the site that are permitted to be used as open space as designated herein. For further clarification, yard/courtyard space outside of the unit envelope may be a limited common element if it is adjacent to a unit envelope, surrounded by a fence, may contain improvements such as a patio and landscaping and such yard space. The courtyard fence shall be maintained by the unit owner. Not all yard space will be limited common elements.

**Common Elements and Limited Common Elements:** Because the site will be developed with condominium units, the applicant wants to clarify what the "common elements" and "limited common elements" of the condominium include compared to what the "open space" required by the zoning regulations include: "Common Elements" of a condominium are defined in ORC 5311 as the areas of a site that are not a "unit". "Limited Common Elements" are defined by ORC 5311 as areas reserved for exclusive use by certain units. Therefore, all of the areas of the site shown as "open space" and all the areas shown as "yards & streets" on Exhibit A-6 are "common elements" or "limited common elements" for the condominium project. Because the zoning regulations do not permit the yards and streets to be counted as part of the "open space", the applicant has not counted these areas of the common elements as open space.

## **II. DEVELOPMENT STANDARDS**

In the event a standard, use, provision or requirement is not provided herein, the standards, uses, provisions and requirements set forth in the Violet Township Zoning Resolution as applicable shall apply.

### **A. Density**

1. The overall gross density of the site shall not exceed 2.29 units per acre and 2.34 units per net acre.

2. The condominium units shall not be more than 139.

## **B. Permitted Uses**

1. Detached single family condominium “units” as defined by ORC Title 5311: A residential unit is the designated part of the condominium property devoted to the use as a residential dwelling.  
All of the condominium units in the development shall be used for residential purposes and home occupations shall be conducted in accordance with the provisions of the Violet Township Zoning Resolution.
2. Clubhouse not to exceed five thousand (5000) square feet with pool, pool deck and parking lot with fourteen (14) parking spaces, to be constructed by the Developer. Clubhouse shall be permitted for use as a sales center until such time as all units are sold.
3. Pavilion for Centralized Mailboxes
4. Two (2) Pickleball courts to be constructed by the Developer.
5. Model Units
6. Sales Trailer with parking lot to be located on site for a period of not greater than one (1) year or until a certificate of Occupancy is obtained for the Clubhouse.
7. Construction Trailer
8. Limited Home Occupations
9. Uses not expressly indicated as permitted uses shall be prohibited.
10. Utility buildings housing water meters or sanitary lift stations or other utility components consistent in size and design as other similar township development and as detailed on development plans and exhibits.

## **C. Unit Envelope**

The rectangular white boxes delineated on Exhibit A-3 Site Plan, outline the area within which one single family condominium unit can be built (“unit envelope”). These areas do not represent lots or lot areas to be platted. No more than one unit shall be constructed within a unit envelope. The unit may cover all or less than the area in the unit envelope. A unit envelope may be forty-two (42) feet wide or fifty-five (55) feet wide by eighty (80) feet deep for side courtyard homes and forty-two (42) feet wide by ninety (90) feet deep for rear courtyard homes. No part of the unit, including chimneys or bay windows may extend outside the unit envelope. There are a variety of unit designs that include some or all the following: attached garage, porch(es) and/or patio(s) (covered, uncovered, enclosed or unenclosed.) Final unit footprints shall be provided at time of building permit.

## **D. Setbacks and Buffers**

1. Unit Envelope Setbacks (measured from the outlines of the unit envelope):
  - a. Front setback:
    - i. The unit envelope shall be located no closer than twenty (20) feet to the edge of the private street or sidewalk.
  - b. Side Setback:
    - i. The site of a unit envelope shall be located no closer than twelve (12) feet to the side of another unit envelope
    - ii. The side of a unit envelope shall be located no closer than twenty (20) feet to the rear of an adjacent unit envelope.

- iii. The side of a unit envelope shall be located no closer than twenty-five (25) feet to the private street with a sidewalk and no closer than twenty (20) feet to a private street without a sidewalk.
  - c. Rear Setback
    - i. The rear of a unit envelope shall be located no closer than thirty (30) feet to the rear of another unit envelope.
- 2. Clubhouse Setback
  - a. The front of the clubhouse shall be located no closer than twenty (20) feet to the edge of the private street or sidewalk.
  - b. The side of the clubhouse and associated pool fence /deck shall be located no closer than one hundred (100) feet from the southern right of way line of Blacklick Eastern Road.
  - c. The rear of the clubhouse, pool, pool deck and/or fence shall be located no closer than fifty (50) feet from the west property line.
- 3. Height
  - a. The maximum height of the condominium unit shall not exceed thirty-five (35) feet to the peak of the roof.
  - b. The maximum height of the clubhouse unit shall not exceed thirty-five (35) feet to the peak of the roof.
- 4. Perimeter Setback/No Build Zone/Tree Preservation Zone
  - a. A perimeter setback of seventy-five (75) feet shall be required from the west property line
  - b. A perimeter setback of one-hundred (100) feet shall be required from the east and south property lines.
  - c. A perimeter setback of one hundred (100) feet shall be required from the southern right of way line of Blacklick Eastern Road.
  - d. The perimeter setbacks shall be a no build zone. No unit envelope, patio, outdoor living area or other permanent or temporary structures, walks/paths, entry/access roads to/from Blacklick Eastern Road, entry features, entry feature signs, walls, piers, and fencing along Blacklick Eastern Road may be located within any perimeter setback. See Exhibit A-6 Setback Plan.
  - e. The outer forty (40) feet of any perimeter setback adjacent to the west, east or south property lines shall also be a tree preservation zone. Required grading for the construction and placement of utility extensions or infrastructure improvements, including storm water management areas, sanitary sewers, water lines and/or private utilities may be permitted in the tree preservation zone. But, no other grading, or non-utility structures shall be permitted in this area. Only diseased, damaged, dead trees or noxious vegetation may be removed in these areas. Supplemental tree plantings shall be provided where tree removal occurs for the infrastructure improvements. The area of the property adjacent to PID 0360086130 shall not be required to provide the outer twenty-five (25) foot tree preservation zone, for the purpose of providing buffering for the neighboring owner.
- 5. Riparian Buffers
  - a. A riparian buffer shall be provided along the entire length and both sides of the stream crossing through the northern third of the property. This buffer is an un-named tributary to Sycamore Creek and shall be no less than fifty (50) feet in width per side. This riparian buffer shall allow access corridors to permit two street crossing with sidewalks and utilities through it. This riparian buffer area is contained in Open Spaces 9 and 12 and shall total no less than 2.3acres.

- b. A riparian buffer shall be provided along the entire length and both sides (if on the property) for the stream along the east property line extending to the south property line. This buffer is an un-named tributary to Sycamore Creek and shall be no less than fifty (50) feet in width per side. This riparian buffer shall allow required utility extensions through it. This riparian buffer area is contained in Open Space 6 and shall total no less than 1.8 acres.
- c. These streams shall be located within designated open space areas per Exhibit A-6.
- d. To the greatest extent possible the developer shall maintain the existing trees located within the riparian buffer along either side of the drainage way, subject to infrastructure improvements which may include but not be limited to private utility locations and associated grading, storm sewers, ponds, pedestrian paths and the private street crossing the drainage way.
- e. The riparian buffer may be augmented with native species of landscape plantings and trees to enhance the overall appearance and infill areas of disturbance from infrastructure improvements and the private street.
- f. Along the outer edge of the buffer a temporary silt fence shall be installed by the developer at time of construction of the project infrastructure and private street as well as the construction of the unit's storm water ponds and reserves adjacent to it.
- g. Tree Removal: After the completion of the development infrastructure, no existing trees shall be removed except for invasive species, dead or decayed trees that pose a danger to the health, safety and welfare to the public and homeowners.
- h. These buffers shall be restricted from development and managed to promote the growth of indigenous vegetation to the area and capable of maintaining the structural integrity of the stream banks.

6. Wetland Buffers

- a. Wetland buffers shall be provided for all wetlands required to be retained by the Army Corps of Engineers or the Ohio EPA.
- b. The buffer area shall have a width of not less than twenty-five (25) feet as measured from the edge of the designated wetland.
- c. The buffer area shall not be disturbed other than as necessary to establish a natural landscape.
- d. Wetlands to be preserved are indicated in Exhibit A-18.

**E. Open Space**

1. Open Space Provided

- a. The amount of open space shall be no less than 28.9 acres, which is in excess of the 18.19 acres of open space required.
- b. Open Space shall be provided per Exhibit A-6 Open Space Plan and Pedestrian Connectivity Plan.

2. Open Space Locations, Amenities and Acreage

- a. All Open Spaces are shown on Exhibit A-6 with a chart providing acres, use and maintenance responsibility of each area. All open spaces shall be constructed by the Developer.
- b. Perimeter Landscape Buffer/ No Build Zone (Open Space Area 4)
  - i. Perimeter Landscape Buffer/ No Build Zones shall be provided along the east, west and south property lines as provided in Section D.
  - ii. No unit envelope, patio, outdoor living area or other permanent structure shall be

located within this open space buffer.

- c. Blacklick Eastern Road Perimeter Landscape Buffer (Open Space Areas 1, 2 and 3)
  - i. A buffer of one hundred (100) feet from the proposed Blacklick Eastern Road southern Road right of way line shall be provided.
  - ii. The buffer shall contain an entry feature, including entry feature signs, walls, piers, fencing, landscaping, sidewalk/walking paths and a water meter vault. See Exhibit A- 9 and Exhibit A-10.
  - iii. No unit envelope, patio, outdoor living area or other permanent structure unless identified in c.ii (above) may be located within this open space buffer.
- d. Storm Water Basins (Open Space Areas 7, 11 and 13)
  - i. Three storm water basins with surrounding open space shall be provided.
  - ii. One basin shall be located on the north side of the stream in Open Space 13.
  - iii. Two basins shall be located south of the stream in Open Spaces 4, 7 and 11. The basin contained in both Open Space 4 and 7 shall not be included in the open space calculations.
  - iv. All storm water basins shall have a minimum of one (1) fountain for aeration purposes and shall be landscaped.
  - v. All storm water basins shall include a safety ledge within the basin as approved by the Fairfield County Engineer's Office and Final Engineering may dictate minor changes to the basin design and size.
  - vi. The Applicant/Developer agrees to submit storm water management plans for review by Fairfield Soil and Water Conservation District and will comply with all recommendations and/or corrections, etc., by Fairfield County Soil and Water Conservation District regarding storm water management facilities, detention basins, outlets, discharges, etc., and such facilities, etc., will be installed in accordance with construction drawings for storm water management facilities approved by Fairfield County Soil and Water Conservation District.
  - vii. The Applicant/Developer has chosen not to include the property as part of a Drainage Maintenance District. The Applicant/Developer further acknowledges, agrees and accepts that after construction of the storm water management facilities for the site, all repairs, replacements, and continued maintenance to keep and/or bring such facilities into compliance with Fairfield County Soil and Water Conservation District's recommendations and requirements and all applicable governmental regulations are the sole responsibility of the Courtyards at Violet Meadows Condominium Association, and that the Applicant/Developer and/or the Courtyards at Violet Meadows Condominium Association shall indemnify and hold harmless the Township and County against any and all claims and demands for repair, replacement, and/or maintenance of such facilities.
- e. Riparian Corridor (Open Space Areas 6, 9, and 12)
- f. Paths (In Open Space Areas 1, 2, 3, 7, 10 through 13)
  - i. Sidewalks and Paths shall be provided per Exhibit A-6 Open Space Plan and Pedestrian Connectivity Plan. These are provided throughout the development to provide connectivity within this neighborhood and along Blacklick Eastern Road to future path connections.
  - ii. Sidewalks shall be a minimum of five (5) feet in width. Sidewalks shall be concrete.
  - iii. The path along Blacklick Eastern Road shall be a minimum of eight (8) feet in width

and shall be asphalt or concrete.

- g. Clubhouse (Open Space 10 – Active Recreation)
  - i. A clubhouse shall be located at the main entry to the community and serve as a gathering area for residents, provide a space for resident functions and have an outdoor pool/pool deck and parking lot. The clubhouse shall be for the use of the condominium residents and their guests.
  - ii. Sidewalks shall link the clubhouse to the off-street parking lot south of the Clubhouse and to the north to Blacklick Eastern Road.
  - iii. Two (2) pickleball courts with courtside seating are located south of the clubhouse and parking lot. The pickleball courts shall be enclosed by a fence with a maximum height of ten (10) feet. Fence shall be coated chain link, and dark in color. Screen panels may be attached to the inside of the fence. Pickleball courts shall be gated.
- h. Seating Areas (Open Spaces 7, 11 and 13)
  - i. Open Space 7 contains a looped walk with a seating area with landscaping overlooking the pond. The seating area has a bench placed on a concrete pad.
  - ii. Open Space 11 contains two separate seating areas with landscaping overlooking the pond. Each seating area has a bench placed on a concrete pad with an overhead trellis.
  - iii. Open Space 13 contains a seating area with landscaping overlooking the pond. The seating area has a bench placed on a concrete pad with an overhead trellis.

### 3. Open Space Maintenance

- a. All open spaces and all improvements / amenities within the open spaces will be owned and maintained by the Courtyards at Violet Meadows Condominium Owners Association.
- b. No weeds, underbrush or other unsightly growth shall be permitted to grow or remain anywhere on the property except for the riparian corridor and tree preservation areas.
- c. The open spaces shall remain as open space in perpetuity.

## F. Architectural Standards

### 1. Exterior Finishes

- a. All units and the clubhouse shall have exterior finishes consisting of any single material or combination of materials.
- b. Acceptable materials include: Unit exterior materials shall include any mix and/or combination of the following materials: brick, cast stone, stone, cultured stone, cement fiberboard, engineered wood siding (e.g., LP SmartSide), siding, glass, wood or vinyl soffits, and vinyl windows or clad wood windows and/or equivalent or superior quality thereof for all the foregoing, and vinyl siding with a nominal thickness of 0.42 gauge or foam backed “Crane Board” or similar.
- c. Exterior Trim: Wood, engineered wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials; and provided further, that if windows have shutters, then such windows shall not require a trim wrap. Unless otherwise provided herein, windows shall have exterior trim on all four sides of each window. The minimum width of window trim boards shall be three and one-half (3½) inches wide.
- d. Minimum Overhangs: All homes shall have a minimum of twelve (12) inch framed (measured from the frame prior to the installation of exterior siding materials) roof overhangs. Lesser

overhangs shall be permitted for secondary roof areas such as, but not limited to, porches, dormers, and bay windows.

2. Exterior Paint Colors: Exterior paint colors for the siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim shall be neutral color or earth tones and there shall be no high chroma, bright, colors allowed.
3. Roof Pitches: The minimum roof pitch for the main roof of a home shall be 8/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.
4. Chimneys:
  - a. Direct vent and cantilevered chimneys are permitted as well as wood burning fireplaces with a foundation.
  - b. All chimneys shall be constructed of exterior finishes allowed by the unit. All chimneys shall be located within the unit envelope.
5. Windows: All windows shall be vinyl, or clad wood, and be a traditional single, fixed, double hung or casement style and bay windows shall not project beyond the building envelope.
6. Garages:
  - a. All units shall have a minimum two (2) car-attached garage.
  - b. All garage doors shall have decorative designs and options for window panels. Garage doors shall be of a color and style that is consistent with the architecture of the home.
  - c. Each garage shall include at least two (2) coach lights.
  - d. All units will have a minimum of four (4) parking spaces for each unit, two (2) within the attached garage and two (2) in front of the garage in the driveway. Driveways shall be a minimum of sixteen (16) feet in width and shall be constructed of concrete, asphalt or pavers.
7. Shingles: All units and the clubhouse shall have dimensional or architectural grade shingles.
8. Gutters and Downspouts:
  - a. Gutters and downspouts may be constructed of extruded aluminum.
  - b. All drainage from the gutters and downspouts shall be underground and either taken to the street or other drainage facilities subject to the approval of Fairfield County.
9. Fencing:
  - a. Home Fences shall not exceed six (6) feet in height and shall only be permitted in the following locations:
    - i. In the side yard between the fronts of the condominium units - at or behind the front setback line and limited to four (4) feet in height.
    - ii. In the rear yard to enclose/screen a patio and limited to six (6) feet in height
    - iii. Along the Blacklick Eastern Road frontage as indicated on Exhibit A-10 Conceptual Landscape Plan Enlargements.
    - iv. All proposed fences are to be installed by the Developer at the time of unit construction. Fences will be maintained by the Condominium Owners Association.
  - b. Fences within the yard areas between, at the side or the rear of the units shall be constructed of white or cream vinyl or black metal. No chain link fences are permitted on residential units.
  - c. Gates shall be required for all areas that are enclosed by a fence.
  - d. The Pickleball Courts shall be enclosed by a maximum ten (10) foot tall link fence. Fence shall be coated chain link and dark in color.

- e. Pool fencing shall be a minimum height of fifty-four (54) inches or height as required by Code. Fence shall be black metal.

## **G. Landscape Standards**

### **1. Condominium Unit Landscape:**

- a. Each unit shall have one ornamental tree in the front yard.
- b. Foundation landscaping shall be provided at the front of the unit to include a minimum of five (5) shrubs and three (3) perennials or low ornamental grasses.
- c. Plant sizes at install shall be: shade trees shall be two (2) inch caliper, ornamental trees shall be six (6) feet in height, shrubs shall be a minimum of eighteen (18) inches in height and perennials shall be a #1 container.
- d. Front yards must be planted with sod and side and rear yards may be either seeded or sodded. For corner unit envelopes, sod shall be planted in both Front Yards.
- e. See Exhibit G for Typical Condominium Unit Landscape.
- f. Fenced courtyards shall be landscaped and may include artificial turf, decorative gravel and/or pavers as ground covering inside courtyard areas in lieu of lawn areas. Typical courtyard plans and arrangement of fencing are illustrated on Exhibit A-11.
- g. The unit landscaping planted inside of the courtyard fence shall be maintained by the unit owner. Any landscaping planted outside the courtyard fence shall be maintained by the Condominium Owners Association.
- h. Unit landscaping planted outside the courtyard area, that is diseased or is dead must be replaced with the same or similar plant of the same or larger size at initial installation. This shall be the responsibility of the COA.

### **2. Clubhouse Landscape**

- a. A minimum of six (6) ornamental and/or shade trees and thirty (30) shrubs.
- b. The front of the clubhouse shall be planted with sod. Side and rear yards shall be seeded or sod.
- c. Artificial turf shall be permitted in the fenced pool area and may be utilized for sport courts.

### **3. Street Trees**

- a. Street trees shall be provided along private internal streets at one (1) per unit.
- b. Street trees adjacent to adjacent to Open Space/Common Areas shall be provided at a minimum of one (1) street tree shall per fifty (50) feet.
- c. No street trees shall be required along the property perimeter or along Blacklick Eastern Road.
- d. Street trees shall be installed at minimum size of two (2) inch caliper.

### **4. Perimeter Buffer Landscaping:**

- a. Supplemental landscaping shall be provided within the Blacklock Eastern Perimeter Landscape Buffer at a minimum ratio of four (4) evergreen trees, two (5) shade trees and two (2) ornamental trees per one hundred (100) feet.
- b. Evergreen trees shall be a minimum of six (6) feet in height at install. Shade trees shall be a minimum size of two (2) inch caliper. Ornamental trees shall be a minimum of six (6) feet in height or minimum of two (2) inch caliper.

- c. Existing healthy trees in the south, west and east Perimeter Landscape Buffers shall be maintained.
- d. Invasive species, dead or dying trees may be removed at the developer's discretion. Required grading and utility/infrastructure extensions may occur in the
- e. See Exhibit A-9 Conceptual Landscape Buffer Enlargement.

#### **H. Maintenance**

1. Common areas including open space, storm water management areas, private streets, lawns, landscaping, fences, paths, gardens, community building etc. shall be maintained by the Condominium Owners Association.

#### **I. Signs and Entry Feature**

1. Entry Features: The Courtyards at Violet Meadows proposes an entry feature containing one yard arm sign at the main entry to the development which shall not exceed twelve (12) feet in height to the top of the post. The sign may be double sided and shall not exceed twenty (20) square feet per sign face. Horse fencing is proposed as a continuation of the entry feature along the frontage of Blacklick Eastern Road and the entrance drive. Fencing shall incorporate masonry piers. These piers shall not contain any signage. The hanging sign shall be set back a minimum of ten (10) feet from the right of way and entry drive pavement. Sign, piers and fencing must be located outside of the intersection sight triangle of Blacklick Eastern Road and the entrance drive. Exhibit A-11 provides the entry sign and pier details.
2. Marketing and Sales Signage: Exhibits A-14 and A-15 show the temporary marketing and sales signage to be used for marketing and sales purposes for the Courtyards at Violet Meadows. The height and square footage of each sign is shown.
3. Model Homes shall be permitted to have one sign per model unit located in the front yard at least ten (10) feet from the edge of the private street. See Exhibit A-16.

#### **J. Miscellaneous Standards**

1. Mail service shall be provided within a mail pavilion with centralized mailbox units (CBU's). See Site Plan Exhibit A-3 and Details on Exhibit A-8.
2. Unit address numbers shall be located consistently throughout the development on the front of the unit.
3. Service Walk
  - a. A service walk shall be required from the front door or porch of the unit to the driveway or private street.
  - b. The service walk shall be at a minimum width of three (3) feet and be constructed of concrete.
4. Patios/Outdoor Living Areas
  - a. Patios and outdoor living areas may be constructed by the developer for each unit.
  - b. When located inside the unit envelope they will be part of the Unit and when located outside the unit envelope in the side or rear "yard" areas they will be a limited common element.
  - c. When patios and outdoor living areas that are limited common elements are surrounded by a fence, they shall be maintained by the unit owner.
  - d. Exhibit A-3 Site Plan, shows side and rear patios which would be Limited Common Areas. Limited Common Areas are also shown on Exhibit A-6 Open Space and Pedestrian Connectivity Plan .

5. Utility Meters / HVAC: All utility meters and HVAC shall not be located in the front of the unit, but shall be located at the side or rear of the unit and shall be placed a minimum of ten (10) feet back of the front façade.
6. Trash Removal and Recycling Services shall be provided to each condominium unit and the clubhouse by a single refuse contractor. All trash units shall be stored in the garage or other enclosed area once refuse has been collected.
7. Antennas
  - a. Television and radio antennas including dish-type satellite signal receiving earth station over twenty-four (24) inches in diameter shall be prohibited on the exterior of any unit or the clubhouse.
  - b. No towers of any kind, including, but not limited to, television, radio and/or microwave towers, shall be erected, placed or maintained anywhere in the Subdivision.
  - c. Any antennas not prohibited above shall be placed in such a manner so as to be hidden from sight from ground level.
8. Vehicles Not In Use: Inoperable vehicles shall be stored within an enclosed structure and not outside.
9. Pleasure/Utility Vehicles, Trailers, Equipment Parking and Storage
  - a. No truck, trailer, boat, camper, or other recreational vehicles, commercial vehicles (including commercial vehicles used for daily commuting) or utility vehicles and equipment, including mowers, tractors, and other lawn or garden equipment, shall be parked or stored on the premises unless it is in a garage; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises (unit driveway or off street parking space) for a period not to exceed seventy-two (72) hours in any period of thirty (30) days.
  - b. The word "truck" shall include and mean every type of motor vehicle other than passenger cars and other than any pickup truck which is used as an automobile vehicle by an owner of a home and his family.
10. Waste Disposal: The area surrounding each unit shall not be used or maintained as dumping ground for rubbish, trash, scrap or used materials, debris and similar items.
11. Outside Storage: No open storage of trash, debris, scrap or used materials, equipment, unit materials or similar materials shall be stored or maintained within the development.
12. Lighting:
  - a. Open Space Lighting: Low-voltage, shielded up-lighting or down lighting maybe located within any of the open space areas EXCEPT the perimeter buffer.
  - b. Lighting along the Blacklick Eastern Road frontage shall only be permitted to serve as accent lighting for the entry feature, entry sign and landscaping. Solar lights shall be permitted.
  - c. Exterior Unit Landscape Lighting: Low-voltage shielded up-lighting may be used on the exterior of the unit for landscaping accent lighting.
  - d. Exterior Unit Lighting: Outdoor lighting for safety, security and walkways to and from the unit shall be permitted and may include can lights, coach lights and/or yard lights.
  - e. Street Lighting: Street lighting shall be provided in coordination with a private utility company, shall be located at intersections and shall not exceed sixteen (16) feet in height. Solar lights shall be permitted.

## **K. Vehicular Circulation**

1. The development will have the main vehicular entrance and emergency access from Blacklick Eastern Road as shown on Exhibit A-3 Site Plan.
2. Private streets shall be constructed throughout the development to serve the condominium units.
3. Private streets shall be twenty-six (26) feet in width from face of curb to face of curb.
4. "On-street" parking shall be permitted on the private street and shall not obstruct driveways and fire hydrants.
5. The private street construction will be rolled compacted concrete section with an asphalt overlay.
6. A secondary emergency access consisting of a twenty (20) foot asphalt drive shall be constructed approximately 420 feet from the main entry road at the location shown on the site plan. This access drive shall have removable bollards on the south and a gate with Knox box along the Blacklick Eastern Road frontage. The final location and details shall be coordinated with the Violet Township Fire Department. See Exhibit A-3 Site Plan.
7. All private streets and the emergency access will be maintained by the Condominium Owners Association.

**L. Condominium Owners Association/Declaration of Covenants and Restrictions**

1. A forced and funded Condominium Owners Association will be established and all unit owners shall be required to belong to the Condominium Owners Association.
2. The Condominium Owners Association responsibilities shall be further detailed in a Declaration of Covenants and Restrictions which will be duly recorded with the Fairfield County Recorder.
3. The Condominium Owners Association will maintain all Open Space and Common Elements, as delineated above, excepting those Common Elements limited for exclusive use by each unit owner ("Limited Common Elements" as defined by ORC 5311).
4. In accordance with the requirements set forth in ORC 5311, the Condominium Owners Association shall establish a budget and include line items for maintaining improvements with adequate reserves for the maintenance and repair of the Common Elements.
5. Sample COA Declaration are Provided in Exhibit H.
6. Once the last home in this zoning district has been sold by the applicant/developer to a third-party purchaser, The COA shall be responsible for undertaking all actions which are necessary in order for the community to comply with the requirements of the Act of HOPA Exemption as contemplated in this development text. Such obligation shall include but not be limited to, (i) the publishing of and adherence to policies and procedures that demonstrate the intent to operate homes in the zoning district as "55 or older" housing; and (ii) compliance with the Department of Housing and Urban development's (HUD's) regulatory requirements for age verification of residents. No later than thirty (30) days after filing reports and any other required information with HUD or other regulatory authorities as required by the Act, the HOPA Exemption and applicable federal administration regulations, the applicant/developer ( until such times as the last home in this zoning district is sold to a third party) shall file copies of the same with the Township for its records.

**M. Phasing**

1. The development will be constructed in phases of approximately thirty-five (35) to fifty (50) units per phase.
2. Anticipated Phasing is provided on Exhibit A-17.

**N. Additional Developer Commitments**

1. Pursuant to R.C. Section 519.021, a Planned-Unit Development shall further the purpose of promoting the public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a planned-unit development, the township zoning

regulations, where applicable, need not be uniform, but may vary in order to accommodate unified development and to promote the public health, safety, and morals.

2. EC New Vison Ohio, LLC is the “Applicant/Developer” of this Zoning Amendment for the Planned Residential District (“PD”) known as “The Courtyards at Violet Meadows.” The findings of the Draft Traffic Access Study completed with this PD and made a part hereof state that at the planned site entrance on Blacklick Eastern Road, there is a west bound left turn lane warranted.

### III. DIVERGENCE REQUESTS

Divergences are requested from the following provisions of the Zoning Code for Violet Township to be approved with this Planned District governing text:

Divergence #1: Section 3V3-01 (E) Effect of Approval and (F) Plat Required:

- These code provisions requiring an approved Subdivision Plat by the Trustees is hereby requested for divergence.

Justification: The Courtyards at Violet Meadows Development is proposed as a condominium under Ohio Revised Code section 5311 and therefore no subdivision lot lines and platting of lots are required by law. It is the applicant’s understanding that the county prosecutor’s office has made the same finding – that platting requirements under zoning resolutions are not applicable to condominium developments in Fairfield County.

Divergence #2: Section 3V3-02(A) Intensity of Use:

- ***A) Intensity of Use - The maximum net density shall be two (2) living units per acre, average for the area in the Planned Residential District to be devoted to residential use, as hereinafter defined, and as shown on the Development Plan;***
- A divergence from this code section is hereby requested.

Justification:

Epcon proposes a gross density of  $\pm 2.29$  units per acre and a net density of  $2.34 \pm$  units per acre. This density is just slightly over the maximum of two units per acre. This density increase is justified for a number of reasons.

On the west, east and south, the development is located next to residential properties that are generally narrow with a depth at least four times the property width. They require a fifty (50) foot rear yard setback and do not have any restrictions on maintaining existing vegetation, trees or landscape screening. On the other hand, Epcon’s plan commits to perimeter buffers and no build zones as follows: west, east, south etc. – Epcon’s plan exceeds the fifty (50) foot rear yard required for neighboring buffers and setbacks with our increased perimeter setbacks and tree save areas. The plan also saves many of the site’s natural features- woods, wetlands and streams with its limited development footprint. This greater ability to preserve desirable perimeter buffers and more open space than conventional development patterns is supported by and paid for by slightly higher than code density as requested.

This development provides a residential product and living arrangement and lifestyle amenities within the community that are underserved within the township. The plan provides a housing product geared toward empty nesters that want to stay in the township but are downsizing from the big house and yard. The homes are unique in that they are detached condominium homes without shared walls, no other neighbors touching them on either side, no exterior maintenance or yard work.

Historically, even at higher density, Epcon developments have lesser impacts vs. other housing types that have been documented as follows:

- Fewer occupants per home than traditional single-family homes (1.6 per Epcon home vs. 2.9 conventional single-family in Violet Township based on census data);
- Little to no impact on the school populations but a significantly positive revenue stream from Epcon property tax values mean that the Epcon site will fund the education of students from other developments and is a net positive for school district revenues (See attached related School Impact

analysis);

- More limited peak hour traffic implications and less traffic overall than other types of development, including significantly less traffic than traditional single-family homes.

Compared to conventional single-family homes that could be built on this site under current zoning and code density, the overall impact to neighboring properties is lessened with the Epcon plan with a more limited development footprint, greater perimeter buffering and controls, less occupancy and people on site, fewer vehicle trips per day, and quieter daily living. As mentioned, this density allows the Epcon site plan to create and set aside more than the 30% open space that is required by code and approaches a conservation style development standard of 50%.

Different housing types have different impacts. Not all density is created equal or has the same impact. Epcon's plan at higher than code density has less impact than an equivalent number of conventional single-family homes or even single-family homes at code density. Epcon's slightly higher than code density is also justified based on Epcon's commitment to quality. The text makes detailed development commitments, including architectural standards and materials, landscape standards, fencing, private streets, unit floorplans and elevations.

Finally, the entire development, including private streets, common areas and amenities are maintained by the Condominium Owners Association without any maintenance burden to the township. This reduced tax burden results from condominium residents covering such maintenance costs and is another favorable comparison with conventional single-family homes and argument to support slightly higher density on this site.

Divergence #3: Section 3V3-02(D)(4) 100' Perimeter Buffer is requested for divergence:

- Section 3V3-02 (1) states ***"If the contiguous property on any boundary of the PD has been previously developed or if a final plat for development of that property has been approved and filed with the Fairfield County Recorder, the perimeter lots or living areas of the PD which are contiguous with such previously developed or platted property shall conform to the minimum lot area, yard and setback standards of the zoning district applicable to that contiguous property, subject to the exceptions contained in Section 3V3-02(D)(2) through (4)."***
- The development meets the exceptions contained in Section 3V3-02(D)(2) ***"In no event shall buildings in the PD District be situated closer than fifty feet (50') to contiguous property which is zoned R-1, R-2, R-7 whether or not developed or platted. If the contiguous property is also zoned PD, the rear setback shall be no less than the rear setback in the previously zoned PD."*** and 3V3-02(D)(3) ***"Previously developed or platted areas that are separated from the PD by a public right-of-way that is fifty feet (50') or more in width shall not be considered contiguous properties for the purpose of this section 3V3-02(D)."***

However, the applicant is asking for a divergence from 3V3-02(D) which states ***"the PD provides for a landscaped buffer area of at least one hundred feet (100') in depth along the perimeter of the areas which are contiguous to the previously developed or platted areas."***

Justification:

Epcon proposes a seventy-five (75) foot perimeter landscape buffer with a forty (40) foot tree preservation zone along the west property line and a one-hundred (100) foot perimeter buffer with a minimum forty (40) foot tree preservation zone along the east and south property lines. The seventy-five (75) foot divergence from the required one hundred (100) foot landscape buffer area along the west property line is justified for a number of reasons.

The one-hundred (100) foot perimeter buffers on the south and west are mostly a stated minimum standard, with a much greater actual distance than what code requires for nearly all of these perimeters. Where the perimeter is limited to seventy-five (75) feet on the west boundary, Epcon's perimeter units on the west do not have any rear living, so no activity, no swings, no patios with furniture, no storage, and no people are located in the perimeter setback/rear yards, offering continued privacy to the adjacent properties. This is a unique difference between Epcon Communities versus a typical single-family community or other empty nester product that do not restrict such active activities in the rear yard. Epcon Communities "live quieter" compared to other subdivision

developments with lesser density.

Additionally, the rear building lines of Epcon's homes near the west property line are typically hundreds of feet in distance from the neighboring homes to the west that front on Pickerington Road, setting a home-to-home distance and actual buffer distance that is significantly greater than the code requirement.

The seventy-five (75) foot perimeter landscape buffer on the west is greater in depth to the required fifty (50) foot rear yard setback on the adjacent properties with one major difference, the plan restricts a portion of this buffer to a no build zone. The proposed no build zone restricts any building, patio or structure in the buffer, with the outer portion of the area limiting the removal of healthy vegetation as a tree preservation zone and providing additional landscaping. In the adjacent R-1 and R-2 zoning districts, there is the ability to build within the rear yard with limited regulation. There is no limitation on the removal of vegetation in the rear yard setback and in the adjacent R-1 and R-2 zoning districts, accessory structures (play structures, detached garages, barns, swimming pools etc.) can be located in the rear yard setback on the adjacent lots and be as close as fifteen (15) feet to Epcon's proposed shared property line.

In addition, Epcon's plan provides nearly twenty-nine (29) acres of open space, more than 1.5 times the amount of open space required in a Planned District. We are preserving 12 acres of trees and streams, adding riparian buffers protection, adding perimeter landscaping, providing amenities to our open spaces including a clubhouse, pool, pickleball courts, seating areas and walking paths. Open space is not required in the adjacent zonings. The Epcon plan provides internal sidewalks and a sidewalk along Blacklick Eastern Road. Sidewalks and pedestrian paths, landscape and open space are not provided for or required in the immediately adjacent properties.

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