



## Meeting Minutes

**MEETING:** Tuesday, August 23, 2011; 3:00 p.m.

### **ROLL CALL:**

**Present:** Charles Bullington, Chair  
Kevin Cooney, Vice-Chair  
Steven Brown  
Christopher Flaig  
G. Coe Potter

**Absent:** Lynn Nevel  
Shirley Wiant

**Staff Present:** David Fehr, AICP, Planning Director  
Lee Margraf, Administrative Secretary

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### **APPROVAL OF MINUTES:**

July 12, 2011 Minutes

Mr. Potter made a motion to approve the July 12, 2011 Meeting Minutes as submitted. Mr. Brown seconded the motion. Motion carried.

AYES: Potter, Brown, Flaig, Cooney, Bullington

NAYES: None

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### **ZONE CHANGES:**

**RZC 11-02**

**George Simonds**

**Change from Residential Planned Unit Development (R-PUD) to A-1  
(Agricultural District)**

**Oxford Township**

Mr. Fehr said he and the applicants appreciate the rescheduling of the August 9 Planning Commission meeting to today and stated there is a pending sale of the property.

Mr. Fehr said this case is in Oxford Township and is a change from Residential Planned Unit Development to an A-1 District (Agricultural District) and the application and other information was mailed out to the Board previously along with an aerial photo of the property.

Mr. Fehr presented the aerial image and said the property is outlined in blue and is currently five (5) different parcels of ground and is approximately 67 + acres off Brown Road, between the City of Oxford and Hueston Woods.

Mr. Fehr said the applicant, Mr. Simonds, has his existing residence on the property.

Mr. Fehr said the property is currently zoned R-PUD and had been rezoned back around 2005 and the intent was they would create a private drive, have four (4) residential lots and a required amount of open space.

Mr. Fehr showed a display of the PUD and said coming off of Brown Road there would be a driveway and they would use the existing drive. Lot 5 would be the open space (approximately 25 acres) and Lot 1 would be assigned private property; Lots 2, 3 and 4 would be new residential lots, so there would be a total of four (4) residential lots and open space lot.

Mr. Fehr said the lots range in size from about 5 acres up to 15 acres and this would all be on public water but private septic systems. After this was rezoned a subdivision plat was submitted and approved and between that time and today no lots were ever sold, part due to the decline in the housing market and additionally simply the expense of constructing a private drive made the project not feasible.

Mr. Fehr said the applicant is now asking to change the zoning back to A-1 District and they are proposing to divide the property into just three (3) tracks under the A-1 zoning requirements. The open space lot would go away and leave three (3) lots roughly 20 acres or so each.

Mr. Fehr showed the existing zoning map of Oxford Township and said the PUD area would be in the striped yellow area identified with the letter "A" so you can see by changing the property back to A-1 District (the green colored areas) would be consistent with the surrounding zoning.

Mr. Fehr said the applicants had a previous engagement and were unable to attend this meeting however they did give testimony at the last hearing and staff does recommend approval of the zone change back to A-1 District zoning.

Mr. Bullington asked if they are going to make it in to two (2) or three (3) lots.

Mr. Fehr said they are making it in to three (3) lots, they will continue to live in their home on one (1) lot and then there will be two (2) additional lots will be created for future development.

Mr. Potter asked if the other lots are not mandated to conform, and is not really germane to this discussion.

Mr. Fehr said that is correct, and it is not on the rezoning, you'll see later that there is an agenda item requesting to change to replat Hidden Vale subdivision.

Mr. Potter said being from Oxford Township, the Township's Comprehensive Land Plan calls to preserve open space and so forth and to retain the rural character in the Township, so he is in favor of the request to have the zoning changed back basically because of the limited road frontage on the property because under A-1 it requires 200 feet of road frontage for each lot but we are really lowering the density from the PUD that allowed four (4) structures down to the A-1 zoning restrictions and he is in favor of it.

Mr. Potter made a motion to approve the request RZC 11-02 George Simonds, Change from Residential Planned Unit Development (R-PUD) to A-1 (Agricultural District), Oxford Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Potter, Cooney, Flaig, Brown, Bullington

NAYES: None

**Resolution: # 11.27**

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**FINAL PLATS:**

**The Arboretum at Station Road, Replat Lots 7 and 8  
Section 22, Town 3, Range 2  
West Chester Township**

Mr. Fehr said this property is in an existing subdivision in West Chester Township and was created around 4 to 5 (four to five) years ago and the request is to take two (2) existing lots (Lots 7 & 8) and combine them into one (1) larger lot to build his own private home and wanted to add more privacy so they ended up buying the two (2) lots and the one (1) lot will be six (6) acres total and will have public water and public sewer and it will be on a public street which has already been constructed. There is also a walking trail that has been constructed and the drainage easement will remain in the back of the property so basically this red line (on map) would go away and the lots would be combined into one (1) single lot.

Mr. Fehr said staff has reviewed this and recommends approval of the replat.

Mr. Cooney made a motion to approve replat this for The Arboretum at Station Road, Replat Lots 7 and 8, Section 22, Town 3, Range 2, West Chester Township. Mr. Flaig seconded the motion. Motion carried.

AYES: Cooney, Flaig, Brown, Potter, Bullington

**Resolution: #11.28**

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**Hidden Vale, Replat Lots 1 - 5  
Section 10, Town 5, Range 1  
Oxford Township**

Mr. Fehr said this is going back to the same property that we saw as a zone change earlier today. When the PUD was approved they actually went ahead and recorded a subdivision plat for this property, however, none of the lots were ever sold and the applicant is asking today to replat those plat lines into three (3) lots. In the information packet you can see the three (3) new platted lots will be given new lot numbers (Lots #6, 7 and 8). Mr. Simonds' home is on Lot #6 and he will retain that with approximately 22 acres. Lots #7 and 8 are there and identified primary and replacement septic system area on each of the lots and Mr. Fehr indicated where they are located. The intent for Lot #7 is a home could be constructed up on the high end of the property and Lot #8's intent is that a home could be built up on the high end of the property and identified where the primary and replacement septic systems would be.

Mr. Fehr said staff does recommend approval of the replat of the five (5) lots into three (3) new lots, numbered Lot 6, 7 and 8.

Mr. Bullington asked if there are any access easements.

Mr. Fehr said no, not at this point. They would have to get approval from the Butler County Engineers' Office for a driveway cut and he is not sure if they would require a shared driveway or not – that would be up to each lot owner and each have roughly 200 feet of road frontage by that curve on Brown Road could be a problem so when they get ready to apply for a Building Permit they would have to get permission from Butler County Engineers' Office to do the curb cut.

Mr. Potter said the one that would be most problematic is already in, the one closer to town.

Mr. Fehr said it is a little tough to see it on this scale.

Mr. Potter said they have good sight down along that long hill, to the left off the drawing, its back towards the south that is problematic but probably could get their Building Permits on Lots 7 and 8.

Mr. Fehr said not everyone likes to share their driveway so we will give them flexibility and feels it would be hard and a round-about way to come in off of Mr. Simonds' property and use his drive to come back in around.

Mr. Potter made a motion to approve final plat for Hidden Vale Replat Lots #1 – #5, Section 10, Town 5, Range 1, Oxford Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Potter, Cooney, Brown, Flaig, Bullington

NAYES: None

**Resolution: #11.29**

**OTHER BUSINESS:**

None

**ADJOURNMENT:**

Mr. Cooney made a motion to adjourn. Mr. Brown seconded the motion. All in favor.  
Meeting adjourned.

These minutes represent a summary of these proceedings and do not purport to be the entire record. A complete transcription of these proceedings was taken from an audio tape under supervision of the Secretary by Lee Margraf and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting same and must be prepaid.

Hamilton, Ohio  
August 23, 2011

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Chair

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Secretary

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Lee Margraf