



# Butler County Planning Commission

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Butler County Administration Building, 6<sup>th</sup> Fl Conference Rm  
130 High Street, Hamilton, Ohio

## Meeting Minutes

**MEETING:** Tuesday, September 14, 2021, 3:00 p.m.

**ROLL CALL:**

**Present:** Bruce Jones, *Chair*  
Bernard “Buck” Rumpke, *Vice-Chair*  
Beth Surber  
Lonnie Lewis  
Amy Updike

**Absent:** Dave Baker  
Kevin Cooney

**Staff Present:** Peter Z. Acuff, Dept. of Development  
Marcia Rosado, Administrative Secretary

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Mr. Jones called meeting to order with roll call at 3:00 p.m.

Mr. Jones recognized Commissioner T.C. Rogers was present for the meeting.

### **APPROVAL OF MEETING MINUTES**

Mr. Jones made a motion to approve the August 13 Meeting Minutes. Mr. Lewis seconded the motion. Motion carried 4-0-1.

**AYES:** Jones, Lewis, Rumpke, Surber

**NAYES:** None

**ABSTAIN:** Updike

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## ZONE CHANGES

### RZC 21-02, Rebecca Vidourek, R-1 and F-1 to A-1 *Madison Township*

Mr. Acuff described this as zone change for a single 43-acre parcel on the east side of the city of Trenton on Radabaugh Road. He further stated that the future land use plan for Madison Township is for medium-density residential that is 1 to 5 acre lots. Mr. Acuff stated that an A-1 zone would allow single family residential. Mr. Acuff stated that the current F-1 zoning is an artifact from the 1950s before FEMA mapping, and that zoning has not kept up with FEMA mapping. Mr. Acuff stated that no site plan was submitted or required, but it is consistent with the land use plan.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

#### *Applicant:*

Mr. Roy Cooke  
3407 Radabaugh Road  
Madison Township, Ohio

Mr. Cooke stated that the property has been in the family for over 100 years and when his father passed, he and his sister inherited the property. He stated that there is a house on the property and that his sister would like to eventually build a house there also. Mr. Cooke stated that his grandfather had a few hundred acres around 1800 and he sold off some and his father sold off some and that he wanted to make sure the balance was left for the family.

Mr. Jones made a motion to approve **RZC 21-02, Rebecca Vidourek, R-1 and F-1 to A-1** subject to staff comments. Ms. Surber seconded. Motion carried 5-0.

#### *Discussion:*

Mr. Rumpke asked Mr. Acuff if Madison Township has its own zoning commission. Mr. Acuff stated that it is handled by the Rural Zoning Commission and they will hear it next week and then it would go to the Butler County Commissioners for approval.

**AYES:** Jones, Surber, Rumpke, Lewis, Updike

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **21.66**

**RZC 21-03, Thomas Gillespie, R-3 to B-2**  
*Ross Township*

Mr. Acuff stated that this is a zone change for a single ½ acre parcel in downtown Ross with an existing structure that was most recently used as a commercial property; a surveyor's office. He further stated that the future land use plan is zoned as neighborhood business (small-scale business) and the applicant's intent is to operate a coffee shop out of the existing building which is permitted in B-2 zoning. Mr. Acuff stated that the site already has two driveways and no new access is proposed for the site. Mr. Acuff stated that the applicant owns four properties total with three of them to the rear on Oriole Street that are not a part of this zone change and are consistent with the current zoning.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

*Questions:*

Ms. Surber asked if the prior use as an office was not required to be commercial zoning. Mr. Acuff stated that he suspects that the use probably pre-dated the zoning but he did not know for sure.

Mr. Jones asked Mr. Acuff if the B-2 zoning allows car sales. Mr. Acuff stated that it does.

*Applicant:*

Tom Gillespie  
4190 Hamilton-Cleves Road  
Fairfield, Ohio 45014

Mr. Gillespie stated that he, his wife, daughter and son-in-law purchased the property to open a coffee shop. He further stated that he thinks it is a great business and will serve the community well. Mr. Gillespie stated that when they found this building the owner owned the back properties as well so they were able to purchase them and tap into the sewers and water since there are no sewers on 128 in this area. He stated it would not have been viable without it. Mr. Gillespie stated that he thought it is perfect for a drive-thru and will complement the community.

*Testimony in favor:*

Keith Ballauer, Ross Township Trustee

Mr. Ballauer stated that the board is in favor of the zone change but have a concern that the property that was used on Oriole Street for the sewer access was rumored to possibly be an entry from the commercial property into the subdivision. He further stated that all of the trustees are against such an access and do not want commercial traffic exiting into the residential area and if Mr. Gillespie plans to do

that in the future they would not support it.

*Testimony in opposition:* None

*Neutral testimony:* None

Mr. Lewis made a motion to recommend approval of RZC 21-03, Thomas Gillespie, R-3 to B-2 subject to staff comments. Seconded by Ms. Updike. Motion carried 5-0.

*Discussion:*

Ms. Surber stated that this zone change is only for the parcel on SR 128 so any change on the parcel to the rear that they were concerned about would be separate.

**AYES:** Lewis, Updike, Rumpke, Surber, Jones

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 21.67

LTZ 21-12, Kyles Parke, R-1 to R-PUD

*Liberty Township*

Mr. Acuff described this as a large vacant property at the corner of Kyles Station and Yankee Road. Mr. Acuff stated that it came through a couple months back as a PUD request of the western portion of this parcel. He stated that it was recommended for approval at that time for residential PUD and they have come back and included the eastern part of the parcel as well. Mr. Acuff stated that the current land use plans call for suburban residential.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

*Questions:*

Mr. Jones asked about the landscape mounds on Kyles Station Road. Mr. Acuff stated that the landscape plan submitted was intended to protect the resident's view and the view from Kyles Station Road and the applicant can further answer any questions.

*Applicant:*

Josh Blatt, John Henry Homes  
11025 Reed Hartman  
Cincinnati, Ohio

Mr. Blatt stated that Hickory Woods Development is technically the development company of record for Kyles Parke and that one change from the previous meeting is that before it was going to be only a John Henry Homes development but now will be bringing in the Drees Company as partners in this development. Mr. Blatt stated

that after the feedback they made some adjustments to lower the density from 2.2 to 1.69 per acre and dropped 20 lots from the original and increased the lot sizes. He further stated they have over 25% green space with five lakes and over a mile of hiker/biker trails with two pedestrian bridges, a soccer field, a playground and two pocket parks. Mr. Blatt stated that regarding the question about the landscape on Kyles Station, from the feedback they got from the township from the beginning was how important it was to maintain the rural character of the area, so they moved the street further north so it is farther from Kyles Station and the mounds will be heavily landscaped and anywhere from 4 to 9 feet tall. He further stated that all the houses will be ranch style so you will not be able to see the backs of the houses from Kyles Station Road.

*Questions:*

Mr. Rumpke asked if the section to the east of Yankee Road has changed in any way or if they are still all 100'. Mr. Blatt stated that they are all 100' x 200' and the only change they did was to ask for a 40' setback instead of the 50' standard setback to allow for the houses to be farther away from Kyles Station Road.

Mr. Rumpke asked about the widths of the lots along the mounds on Kyles Station. Mr. Blatt stated they are all 65' wide. Mr. Rumpke stated that it would mean a 6' side yard and the distance between the houses could be as small as 12'. Mr. Blatt stated that these would be high end lifestyle homes where the association would take care of the landscaping, snow removal etc. and as in the previous meetings we presented there is a lack of this type of housing and a need for it. Mr. Rumpke stated that this type of home would be more acceptable closer to Cincinnati Dayton Road that this area is rural and larger lots are the norm and raises concern for this development.

*Testimony in favor:*

Etta Reed, Bayer Becker  
6900 Tylersville Road

Ms. Reed stated she wanted to clarify to Mr. Rumpke that the side yard setbacks are a minimum of 6' but the closest the two homes would be a minimum of 15' apart.

*Testimony in opposition:* None

*Neutral testimony:* None

Mr. Lewis made a motion to recommend approval subject to staff comments for LTZ 21-12, Kyles Parke, R-1 to R-PUD. Seconded by Ms. Surber. Motion carried 4-1-0.

*Discussion:*

Mr. Rumpke stated that he personally thinks this is a wide open area of Liberty Township and is bringing in higher density than they would like to see and will probably see pushback from them.

**AYES:** Lewis, Surber, Updike, Jones

**NAYES:** Rumpke

**ABSTAIN:** None

**RESOLUTION#:** 21.68

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## PRELIMINARY PLAT

### Sanctuary Ridge

*Section 33, Town 3 Range 3*

*Liberty Township*

Mr. Acuff stated that this subdivision goes by a couple of different names and thinks they settled on Sanctuary of Liberty, Section 4. He stated it is an extension of Sanctuary of Liberty Subdivision consisting of 9 residential lots on 20 acres with an open space lot. Mr. Acuff stated that there was a meeting with the applicant, the floodplain administrator and himself yesterday and the findings are included in the packet.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

Mr. Rumpke made a motion to recommend approval of the preliminary plat for **Sanctuary Ridge**, subject to staff comments. Ms. Surber seconded. Motion carried 5-0.

**AYES:** Rumpke, Surber, Lewis, Jones, Updike

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 21.69

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## FINAL PLATS

### Peaks of Aspen Trails

*Section 4, Town 2 Range 3*

*Liberty Township*

Mr. Acuff stated this is located on SR747 just north of Kyles Station Road adjacent to the Liberty Township Fire Station and consists of 54 new lots with access off of Aspenwood Drive with private streets serving the 54 lots within.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

*Questions:*

Mr. Jones asked what the final product would be. Mr. Acuff stated they are duplexes.

Mr. Lewis made a motion to recommend approval of the final plat for **Peaks of Aspen Trails**, subject to staff comments. Ms. Surber seconded. Motion carried 3-2-0.

*Discussion:*

Mr. Rumpke asked how many units per acre. Mr. Acuff stated that it does not show on this but would have been determined at the zone change and it would be consistent with the PUD. Mr. Elma stated that it is consistent with PUD that was finalized earlier in the year. He further stated that he did not see on the comments where the township requested emergency access to the fire station but the layout is exactly as approved.

**AYES:** Lewis, Surber, Updike

**NAYES:** Rumpke, Jones

**ABSTAIN:** None

**RESOLUTION#:** 21.70

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## SUBDIVISION REPLAT

### Liberty Run, Replat of Part Lot 10, Monrovia on the Dixie

*Section 16, Town 3, Range 3*

*Liberty Township*

Mr. Acuff stated that this was tabled from last month to get some revisions to make modifications to the roadway layout. He stated it previously had an extension of Cherokee Lane to a cul-de-sac and a reserved stub as required by subdivision regulations. Mr. Acuff stated the applicant had financial difficulty building two roads and so they worked with the engineer's office to come up with a solution. He further stated that it will now have a T-intersection at Cherokee Lane with the stub to the north. Mr. Acuff stated that it has been vetted by the township, the engineer's office and the fire department is currently looking at it and he did not know if it has approval yet. The applicant stated that his engineer got approval today from the fire department for the turn around. Mr. Acuff stated that the layout is the same as the prior application and it meets the requirements.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

*Questions:*

Mr. Rumpke asked when this is done they will have shared access. Mr. Acuff stated that they all have enough frontage and an access easement but that it is envisioned to be family members and have shared access. Mr. Jones stated that it may be a

problem when they go to sell in the future. Mr. Acuff stated that is why they have an access easement requirement.

Mr. Rumpke made a motion to approve the replat of **Liberty Run, Part of Lot 10** subject to staff comments. Mr. Lewis seconded. Motion carried 5-0.

**AYES:** Rumpke, Lewis, Surber, Updike, Jones

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **21.71**

### **Towns of Wetherington, Replat of Lot 7 (The Oaks at Wetherington)**

*Section 18, Town 3, Range 2*

*West Chester Township*

Mr. Acuff stated that this is replat of a single lot across the street from Liberty Center on the West Chester side on the west end of the Oaks at Wetherington development. He further stated it is a proposal for high density residential.

Mr. Acuff reviewed staff comments with the board and recommends conditional approval subject to those comments.

#### *Questions:*

Mr. Jones asked Mr. Acuff what happens after the Planning Commission addresses it. Mr. Acuff stated it they will make any revisions needed to the plat based on staff comments and then it will go to the county commissioners' for acceptance of the replat and then the lots can be created and sold.

Mr. Rumpke asked if the lots were 20' wide. Mr. Acuff stated that they are similar to The Streets of West Chester, they would be townhomes with common walls, seven townhomes in one building.

Mr. Rumpke asked how it is currently zoned. Mr. Acuff stated that it is in a PUD and is consistent; it was always planned as high-density residential.

Ms. Surber made a motion to recommend approval of **Towns of Wetherington, Replat of Lot 7**, subject to staff comments. Ms. Updike seconded. Motion carried 4-1-0.

#### *Discussion:*

Mr. Jones stated it would be easier with elevations.

Mr. Lewis stated that they are small lots but that is what is popular now, that 20 years ago everyone wanted big lots.

Mr. Rumpke asked who applied for this. Mr. Acuff stated the owner is Chester Residential LLC, and he thinks they are associated with Steiner.

**AYES:** Surber, Updike, Lewis, Jones

**NAYES:** Rumpke

**ABSTAIN:** None

**RESOLUTION#:** 21.72

**Comments:**

Mr. Jones asked Mr. Acuff if we have any word on new board member. Mr. Acuff stated that he submitted two names to the County Commissioners and is waiting for them to act.

**ADJOURNMENT**

Mr. Jones made a motion to adjourn, seconded by Mr. Rumpke. Motion carries 5-0. Meeting adjourned 4:06 PM.

**AYES:** Jones, Rumpke, Lewis, Surber, Updike

**NAYES:** None

**ABSTAIN:** None

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 and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio  
September 14, 2021

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Chair

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Secretary