



# Butler County Planning Commission

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Government Services Center, Conference Room #1  
315 High Street, Hamilton, Ohio

## Meeting Minutes

**MEETING:** Tuesday, September 12, 2017, 3:00 p.m.

**ROLL CALL:**

**Present:** Beth Surber, Chair  
Dave Baker  
Charles Bullington  
Bruce Jones  
G. Coe Potter  
Bernard "Buck" Rumpke

**Absent:** Kevin Cooney, Vice-Chair  
Steve Brown

**Staff Present:** David Fehr, Dept. of Development  
Peter Z. Acuff, Dept. of Development  
Kimberly Lee

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Ms. Surber called the meeting to order with roll call at 3:02 p.m.

**APPROVAL OF MEETING MINUTES:**

Mr. Potter made a motion to approve the **June 20<sup>th</sup>, July 11<sup>th</sup> & August 8<sup>th</sup>** Meeting Minutes submitted. Mr. Bullington seconded the motion. Motion carried 4-0.

**AYES:** Potter, Bullington, Rumpke, Surber

**NAYES:** None

**ABSTAIN:** Jones, Baker

## **ZONE CHANGES:**

### **LTZ 17-06 Tie Investments, RA-1 to B-2**

Section 4, Town 2, Range 3

Liberty Township

Mr. Acuff introduced zone change requested by Tie Investments, RA1 – B2 in order to construct a Garden Center and Nursery. Mr. Acuff reviewed the aerial image of the area and made note that it is located within two (2) townships, Liberty & Lemon.

Staff recommends approval of zone change with staff comments which relate more to future development of the property.

### **Applicant Presentation**

Mr. Jose Castrejon (*representing applicant*)

3700 Park 42 Drive, Cincinnati, Ohio 45241

Mr. Castrejon states that applicant concurs with staff comments and looks forward to recommendation of approval. Since the area is in two townships, they want to make sure they're in compliance with the part of the property located in Liberty Township and the entire area is already B2.

### **Questions:**

1. Mr. Rumpke asked how much of the property does Tie Investments own.
  - a. Mr. Castrejon pointed out the area owned by Tie Investments on the aerial map
2. Mr. Jones asked would access be off Hamilton-Middletown Road.
  - a. Yes, they've been working with ODOT to make sure they would get access.
3. Mr. Potter asked if there are plans to have the small area that is currently A1 re-zoned to B2 as well.
  - a. That's something they're looking into, but there are site restraints that affect the development on the Lemon Township side so they wanted to deal with the Liberty Township side first.
4. Mr. Rumpke asked about R-PUD, is there a creek between.
  - a. Mr. Casrejon showed the area on the aerial map and states there is not much available for development.
5. Mr. Rumpke asked is it retail.
  - a. Yes for part and to run a business associated with the landscape industry.
6. Ms. Surber asked if Lemon Township has considered rezoning.
  - a. Still in discussion, possibility may be able to do what is required with current zoning.
7. Mr. Jones asked Mr. Acuff what type business falls in to B2.
  - a. Mr. Acuff allowed Mr. Andy Juengling of West Chester Township to respond. B2 is general business and the proposed usage is allowable.

8. Mr. Rumpke asked is manufacturing permitted in B2.
  - a. Per Mr. Juengling, he doesn't think it is

*No Testimony in opposition*

*No Neutral testimony*

*Other questions or comments from the Board*

1. Mr. Rumpke asked Mr. Acuff if there was any accommodation for a buffer between R-PUD Property and the property discussed.
  - a. Per Mr. Acuff there are flood damage prevention regulations for the county that may apply.
2. Mr. Rumpke asked is there a buffer if it becomes a landscaping business and items are stored on the property.
  - a. Per Mr. Acuff that would come up with the site plan.

Motion was made to approve **LTZ 17-06** by Mr. Rumpke; motion was seconded by Mr. Jones.

Motion carried 6-0.

**AYES:** Rumpke, Jones, Bullington, Potter, Baker, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.55

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**WCTZ 17-07 Bel Haven, R-1A to R-PUD**

Section 5, Town 2, Range 2

West Chester Township

Mr. Acuff reviewed aerial map of two (2) parcels at the intersection of Tylersville & Beckett Roads which is the proposed site for a 176 home subdivision with clubhouse. Patio homes that are similar to what is built across the street.

Mr. Acuff reviewed Staff comments.

*Applicant Presentation*

Mr. David Labus (Epcn Communities)

8000 Park Place Circle, West Chester, Ohio 45069

Mr. Labus states Epcon previously built Park Place Community and excited to build new community which features:

- 8-10 home plans
- 1 ½ story homes
- geared towards the empty-nester
- limited amount of maintenance

He states applicant is in agreement with staff comments.

**Questions:**

1. Mr. Jones asked, what is the square footage and lot size.
  - a. Per Mr. Lebos, 1500 – 3000 sq. ft. average 200 sq. ft. the lot size is 52 ft. wide depth varies with 10 ft. between the homes, they are called courtyard homes
2. Mr. Rumpke asked can you build against property lines.
  - a. Yes, through deed restrictions one (1) person will have exclusive use of the extra five (5) ft.
3. Mr. Rumpke asked are the streets public streets.
  - a. Yes
4. Were they in the development across the road.
  - a. No, as the demographic needs changed and they stopped with the condo format.
5. Mr. Rumpke asked what is the average sale price.
  - a. Well into the 460's due to homes being highly customized. Expect the new homes to be in in the low 400's
6. Mr. Bullington asked, what the timeline be between phase 8 & 5.
  - a. 18 months per phase 7- 8 years total.
7. Mr. Jones asked, what development they anticipate at corner of Beckett.
  - a. Haven't figured out what they plan to do with that space.
  
8. Mr. Potter has visited the project on a few occasions and very pleased with the product and believes the company has proven themselves.

*No Testimony in favor of*

*No Testimony in opposition*

*No Neutral Comments*

Motion was made to approve **WCTZ 17-07** per staff comments by Mr. Potter; motion was seconded by Mr. Jones. Motion carried 6-0.

**AYES:** Potter, Jones, Rumpke, Bullington, Baker, Surber  
**NAYES:** None  
**ABSTAIN:** None

**RESOLUTION#:** 17.56

**PRELIMINARY PLATS:** None

**FINAL PLATS**

**Vista Verde, Section Two**

Sections 3 & 9, Town 2, Range 3

Liberty Township

Mr. Acuff show aerial view of lots and also referred to map included in packet. Mr. Acuff reviewed staff comments and recommends approval subject to comments.

**Questions:**

1. Mr. Jones asked how many lots are on the property.
  - a. Per Mr. Acuff there are 28 lots.

**No comments**

Ms. Surber made the motion to approve **Vista Verde, Section Two**, seconded by, Mr. Baker. Motion carried 6-0.

**AYES:** Surber, Baker, Potter, Bullington, Jones, Rumpke  
**NAYES:** None  
**ABSTAIN:** None

**RESOLUTION#:** 17.57

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**Bay View, Replat of Lots 13 & 14**

Section 29, Town 3, Range 2

West Chester Township

Mr. Acuff showed aerial map of property. Property owner looking to combine the two (2) lots into one (1) lot.

Per Mr. Acuff, owner has met all conditions of staff comment. Staff recommends approval subject to Health Department review fee being paid.

**No Questions**

**No comments**

Mr. Baker made a motion to approve **Bay View, Replat of Lots 13 & 14**. Mr. Rumpke Seconded the motion. Motion carried 6-0.

**AYES:** Baker, Rumpke, Jones, Bullington, Potter, Surber  
**NAYES:** None  
**ABSTAIN:** None

**RESOLUTION#:** 17.58

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**Venice Gardens, Replat of Lots 606–608**

Section 34, Town 3, Range 2  
Ross Township

Mr. Acuff show aerial map of property. Combining four (4) lots into one (1) lot.

Per staff comments there are a few things to clean up technically on the plot itself, subject to comments staff recommends approval.

**Questions**

1. Mr. Jones asked, if it will now be recognized as new lot 1062
  - a. Mr. Acuff, Yes

**No comments**

Ms. Surber made a motion to approve The Maples, Replat of Lot 6 subject to staff comments. Mr. Baker seconded the motion. Motion carried 6-0.

**AYES:** Surber, Baker, Potter, Jones, Rumpke, Bullington  
**NAYES:** None  
**ABSTAIN** None

**RESOLUTION#:** 17.59

## REQUEST TO PULL FROM TABLE

### **Ross Trails, Section Five, Block A**

Section 29, Town 3, Range 2

Mr. Acuff requested to bring Ross Trails, Section Five, Block A which was tabled due to soil erosion issues. They interested in moving forward, and are currently working the Engineer's Office and Ohio EPA and should wrap things up within the next two weeks. This needs to be brought off the table and a decision made by the Planning Commission before it can be presented to the Commissioners.

Mr. Eric Pottenger from the County Engineer's office is present to give an update.

Mr. Pottenger reports that significant progress has been made as some outstanding issues have been repaired. Developer is currently working on a plan regarding storm water detention basin and excavating in and around the water of the estate. The developer has submitted a letter to County Engineer and Ohio EPA stating in process of coordinating recommendations for removing sediment erosion as well as additional spoil.

Mr. Pottenger states that with this progress having been made and although there are outstanding issues, he is feels comfortable moving forward subject to outstanding issues being addressed prior to presentation for Commissioners' approval.

### Questions

1. Mr. Potter asked, who the developer.
  - a. Per Mr. Acuff, Ross Trails, LLC (aka Mr. Watson)
2. Ms. Surber asked, if the hillside was bare, what is the prognosis for long term stability.
  - a. Deep ravine erosion was the main concern and has since been repaired however County Engineers and OH EPA will continue to monitor vegetation to ensure additional erosion doesn't occur in the hillside.
3. Ms. Surber asked, is it too steep for maintenance.
  - a. They will have a stabilized vegetative slop, once on record there will be a bond for performance and if there is an issue the developer will need to address it.
4. Mr. Rumpke asked if this was being requested to save time.
  - a. The Developers felt they were making progress and wanted to get thing moving

5. Mr. Rumpke asked if work has already started.
  - a. Yes the streets, storm sewers are in, Duke providing phone and cable.
6. Mr. Rumpke asked, can he sell lots.
  - a. No, not until the plat has been recorded.
7. Ms. Surber asked about the erosion issues.
  - a. Mr. Pottenger showed the areas in question via aerial map.
8. Ms. Surber asked if this was the preliminary plat.
  - a. No the final plat.
9. Mr. Potter asked if Mr. Acuff & Mr. Pottenger felt comfortable in moving ahead.
  - a. Yes they do.
10. Mr. Potter asked for clarity as to what they would be voting on.
  - a. The final plat.
11. Ms. Surber asked who would there be any liability if there's any instability with the home site.
  - a. The erosion issues don't have to do with stability.
12. Mr. Jones advised if a vote came up, he would be abstaining as this agenda item predates his service on the board.

Mr. Rumpke made the motion to accept the final plat of **Ross Trails Section 5A** per approval by the Engineer of draining and environmental issues and by the County of bonds and small things that needs to be finalized. Seconded by Ms. Surber. Motion carried 5-0

**AYES:** Rumpke, Surber, Potter, Bullington

**NAYS:** None

**ABSTAIN:** Baker, Jones

**RESOLUTION#:** 17.60

**Announcements:**

- Mr. Potter states he served under three (3) Planning Directors and announced the passing of Mr. Frances Kosobud and recognized his stellar service to Butler County.
- Mr. Acuff introduced Kimberly Lee, new Administrative Secretary.
- Mr. Bullington announced his retirement effective the conclusion of the meeting.

**ADJOURNMENT**

Mr. Rumpke made a motion to adjourn seconded by Mr. Jones. 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 and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio

September 12, 2017

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Chair

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Secretary