



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING: Tuesday, April 10, 2012; 3:00 p.m.

ROLL CALL:

Present: Kevin Cooney, Vice-Chair
Tom Barnes
Lynn Nevel
G. Coe Potter
Shirley Wiant

ABSENT: Charles Bullington, Chair
Steven Brown

Staff Present: Peter Z. Acuff, Planning Administrator
David Fehr, AICP, Director of Development
Lee Margraf, Administrative Secretary
Constance Kepner, Water & Sewer
Theresa Barnes, Butler County Engineers Office

APPROVAL OF MINUTES:

Meeting Minutes from February 14, 2012

Ms. Wiant made a motion to approve the February 14, 2012 Meeting Minutes as submitted. Mr. Barnes seconded the motion. Motion carried 5-0.

AYES: Wiant, Barnes, Nevel, Potter, Cooney

NAYES: None

Meeting Minutes from March 13, 2012

Mr. Barnes made a motion to approve the March 13, 2012 Meeting Minutes as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Barnes, Wiant, Nevel, Potter, Cooney

NAYES: None

ZONE CHANGES: None

PRELIMINARY PLATS:

**Grace Meadows, Phase Two
Section 36, Town 3, Range 2,
West Chester Township**

Mr. Acuff showed an aerial map of the property and said this property is north of Tylersville Road in West Chester and pointed out the existing houses in Phase One of Grace Meadows. They are proposing 69 new buildable lots and four (4) open space lots and the street would connect Senour Drive through here to connect with the existing development in the north, planned development on over here (pointed to on map) to the west and the south.

Mr. Acuff said staff comments have been distributed to the Planning Commission and many of them are standard requirements. Mr. Acuff highlighted a few of the additional requirements including but not limited to requiring applicant to submit the finds of a flood study on the stream in the middle of the development to Butler County Engineers Office (BCEO) for review; the Home Owners Association documents must be amended to include the new phase of the development; labels indicating the location of 'sanitary' sewers must be corrected; consider changing the name of the existing Senour Drive, east of Whitehall Circle, to East Senour Drive; existing road names west of the subdivision should be verified on the Location Map; per agreement with BCEO construction of left turn lane off of Tylersville Road will be required prior to final plat approval for lots in this phase; the ownership of the parcels is divided among three (3) owners and appropriate splits will have to be submitted prior to the approval of the final plat to clear up title to the subdivision, a couple of the lots' road frontages need to be verified and increased; and, in order to use the lot numbers shown on the preliminary plat, Phase One Block must be recorded first.

Mr. Acuff showed a plat map of the property and said staff has asked the applicant to consider combining open space lots 121 and 126 together.

Mr. Acuff said staff does recommend approval subject to staff requirements.

TESTIMONY IN FAVOR: Graham Parlin, HPA Development Group, 7800 Cooper Road, Suite 204, Cincinnati, Ohio 45242.

Mr. Parlin, Vice President of HPA Development Group gave a brief background on the project and said they are in agreement with all of the staff comments and we are proposing 69 lots which are consistent with the Zoning Requirements, the only clarification that he would like to make is regarding the Home Owners Association (HOA) documents and while they have not done their title search yet, they are not sure if the property they are acquiring has already been brought in to that HOA or if they are to bring it in to the HOA or they would have the option to

create a different association should the people in Grace Meadows Phase One not want them to bring it in. He said he does not have all the answers yet because the title search is in progress but their intent is to create an HOA or bring it in to the existing, but he wanted to clarify that.

TESTIMONY IN OPPOSITION: None

NEUTRAL COMMENTS:

Mr. Barnes asked if lots 121 and 126, is it just the two (2) lots or is it 121 through 126.

Mr. Acuff said just the two (2) lots that abutt each other. Lots 122 through 125 are buildable lots and because they are contiguous at that southern edge we are looking at combining them, unless there is a valid reason to keep them separate then let us know.

Mr. Nevel made a motion to approve the preliminary plat for Grace Meadows, Phase Two Section 36, Town 3, Range 2, West Chester Township, subject to staff comments. Ms. Wiant seconded the motion. Motion approved 5-0.

AYES: Nevel, Wiant, Potter, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.13

**Meadows of Aspen Trails, Section Four, Block C
Section 04, Town 2, Range 3
Liberty Township**

Mr. Acuff said this is a reapproval of the existing preliminary plat for Section Four, Block C of Meadows of Aspen Trails located off of Kyles Station Road just west of State Route 747. The northwest portion of the development is proposing 58 lots.

Mr. Acuff highlighted some of the staff conditions and said staff recommends approval.

Mr. Potter commented it is a long way to the back of the property and asked if there was a reason why there are no stubbed streets to the upper northwest corner.

Mr. Fehr said it is commercial property to the west and staff felt it would not be appropriate to stub a residential street to an industrial area, and Hamilton Fixtures is a fairly big industrial warehouse.

Mr. Potter asked if it is completely developed to the west though.

Mr. Fehr said as far as he is aware, everything along that west property line is either in business use or zoned for business use.

Mr. Joe Schwartz, 500 Wessel Drive, Fairfield, Ohio, developer of the property, offered some history on the property back to when they purchased it around 2002-2003 and said they started the development back in 2005 and all of the underground is in and completed then the 2006 set in and they let it sit and sold a few lot and now they expect this the final development on all or a portion of the site in 2012.

NEUTRAL COMMENTS: None

Mr. Potter made a motion to approve the preliminary plat for Meadows of Aspen Trails, Section Four, Block C, Section 04, Town 2, Range 3, Liberty Township, subject to staff comments. Ms. Wiant seconded the motion. Motion approved 5-0.

AYES: Potter, Wiant, Nevel, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.14

**Meadows of Aspen Trails, Section Four, Block C, Request to reduce sidewalk width
Section 04, Town 2, Range 3
Liberty Township**

Mr. Potter made a motion to allow the sidewalk width to be decreased from five (5) feet to four (4) feet at Meadows of Aspen Trails, Section Four, Block C, Section 04, Town 2, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Nevel, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.15

**The Knolls of Liberty Estates, Section Two, Block C
Section 31, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is the later phase of the development which is adjacent to the Butler County Regional highway and they are building 33 lots off the end of Corkwood Knoll.

Mr. Acuff reviewed the staff comments.

Mr. Joe Schwartz, the developer, gave a brief history on the property from 2003 when they bought this property and was probably about 250 lots and now they are down to the last 33 lots.

Ms. Wiant made a motion to approve the preliminary plat for Meadows of Aspen Trails, Section Four, Block C, Section 04, Town 2, Range 3, Liberty Township, subject to staff comments. Mr. Nevel seconded the motion. Motion approved 5-0.

AYES: Wiant, Nevel, Potter, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.16

**The Knolls of Liberty Estates, Section Two, Block C, Request to reduce sidewalk width
Section 31, Town 3, Range 3
Liberty Township**

Mr. Nevel made a motion to allow the sidewalk width to be decreased from five (5) feet to four (4) feet at The Knolls of Liberty Estates, Section Two, Block C, Section 31, Town 3, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Nevel, Wiant, Potter, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.17

FINAL PLATS:

**Moyers Subdivision, Replat of Lots 18 -21
Section 23, Town 3, Range 2,
West Chester Township**

Mr. Acuff showed an aerial image of the property and said this is a lot combination up in Maud and the home owner of the existing house here (pointed to on map) owns this lot and the three (3) lots to the east and they are looking to get these four (4) lots combined into one (1) lot.

Mr. Acuff said the only staff comment made was there is one (1) measurement that reads 150 feet and it should be 300 feet and this will clean up the mylar, otherwise staff recommends approval.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL COMMENTS: None

Ms. Wiant made a motion to approve the final plat for Moyers Subdivision, Replat of Lots 18 - 21, Section 23, Town 3, Range 2, West Chester Township subject to staff comments. Mr. Nevel seconded the motion. Motion carried 5-0.

AYES: Wiant, Nevel, Cooney, Barnes, Potter

NAYES: None

RESOLUTION#: 12.18

**The Streets of West Chester, Replat of Lot 40
Section 27, Town 3, Range 2
West Chester Township**

Mr. Acuff said this is the next phase in The Streets of West Chester Subdivision just off of Allen Road and east of Interstate 75.

Mr. Acuff showed an aerial image of the property and said the area highlighted in yellow is where the next row of new lots and ten (10) townhomes will be created.

Mr. Acuff summarized the staff comments including the BCEO's revised plan yesterday to clear up some minor issues and the only thing still remaining is to submit an amendment to the HOA document to include this section of the development.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Nevel made a motion to approve final plat for The Streets of West Chester, Replat of Lot 40, Section 27, Town 3, Range 2, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Nevel, Wiant, Potter, Barnes, Cooney

NAYES: None

RESOLUTION#: 12.19

**Lanes Landing, Section Two, Block B
Section 16, Town 3, Range 3,
Liberty Township**

Mr. Acuff showed an aerial map of the property and indicated its proximity to Kyles Station Road.

Mr. Acuff said today they wish to replat lot 56 on the west side of the street and incorporate acreage in the back of these two (2) parcels (pointed to on map). Using lot 56 being split up this is the acreage from the two (2) property owners and the narrow panhandled lots are being created to allow access from Woodmere Court back to those lots here (pointed to on map).

Mr. Acuff said comments from the Subdivision Review Committee meeting were passed on to the developer and asked to revise and resubmit copies, which we received yesterday and added there were a number of issues/comments raised by BCEO which he did not receive until yesterday. Their comments were with regard to grading & improvement plan not submitted for lots 63 & 66; modifications to the detention basin and detention basin outlet pipe issues which must be done prior to recording of the plat.

Mr. Acuff said a series of lot splits and combinations processed prior to it going to the Butler County Commissioners for final sign-off and is being addressed by the Tax Map Office to make all of the necessary changes and make it work.

TESTIMONY IN FAVOR: Jeff VanFossen, Welsh Development, 5780 State Route 128, Cleves, Ohio 45002

Mr. VanFossen said when they bought the property, a portion in the north area, we had an agreement with these two (2) owners that we would provide them access and utilities as a part of the development and that is the reason we had these two (2) little sliver pieces and we originally thought we could do that with a split plat and (inaudible) so we held out the large lot 56 while we worked out with the Township Zoning and the Tax Map Department and finally got that all worked out and got the split signed by Mr. West at Liberty Township.

Mr. VanFossen said as far as the pipe comment from the BCEO that pipe was shortened up after being over the property line to the north but it has been shortened ... as well as the volume certified by Beyer and Becker. Mr. VanFossen offered to answer any questions.

TESTIMONY IN OPPOSITION: None

NEUTRAL COMMENTS: None

Mr. Nevel made a motion to approve final plat for Lanes Landing, Section Two, Block B Section 16, Town 3, Range 3, Liberty Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Nevel, Wiant, Barnes, Potter, Cooney

NAYES: None

RESOLUTION#: 12.20

OTHER BUSINESS: None

ADJOURNMENT:

Mr. Potter made a motion to adjourn, seconded by Mr. Cooney. 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.

Hamilton, Ohio
April 10, 2012

Chair

Secretary

Lee Margraf