



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING: Tuesday, July 9; 2013, 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Dave Baker
Tom Barnes
Steven Brown
G. Coe Potter
Beth Surber
Shirley Wiant

Absent: Kevin Cooney, Vice Chair

Staff present: Peter "Zeb" Acuff, Planning Administrator
David Fehr, Director of Development
Lee Margraf, Administrative Secretary, Dept. of Development
Constance Kepner, Butler Water & Sewer

Mr. Bullington called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES:

June 11, 2013 Minutes

Mrs. Wiant made a motion to approve the June 11, 2013 Meeting Minutes as submitted. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Surber, Potter, Baker, Barnes, Bullington

NAYES: None

RESOLUTION#: 13.35

PRELIMINARY PLATS: None

ZONE CHANGES:

**West Chester YMCA, Major Change to R-PUD
Section 34, Town 3, Range 2
West Chester Township**

Mr. Acuff said this zone change is a modification to the existing Residential Planned Unit redevelopment and indicated its proximity to the Beckett Ridge area and Beckett Road and Union Centre Boulevard and said the parcel we are looking at is the trapezoid-shaped area here and there's a proposal for the Lakota YMCA to build a new facility here (pointed to on map).

Mr. Acuff showed a plat map of the area and indicated where the pool, athletic field and parking area will be just north of the building.

Mr. Acuff said staff has reviewed the proposal and highlighted the staff conditions, included but not limited to a traffic impact study and approval from the National Park Service for the access from the existing park drive to allow the change in use to allow access here. Staff does recommend approval back to the West Chester Township to allow the change in zoning.

Mr. Bullington asked if land out front is a separate parcel or part of this.

Mr. Acuff replied the land out front is not included in this application.

Applicant, John Schaller, CEO of Lakota Family YMCA, 6703 Yankee Road, Liberty Township, said they look at this as a real opportunity to add some additional services to the Township in Butler County and it will be great for the community. Mr. Schaller offered to answer any questions from the Board.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Potter made a motion to approve the zone change for West Chester YMCA, Major Change to R-PUD, Section 34, Town 3, Range 2, West Chester Township subject to staff conditions. Ms. Wiant seconded the motion. All in favor.

NEUTRAL TESTIMONY: None

AYES: Potter, Wiant, Baker, Barnes, Surber, Brown, Bullington

NAYES: None

RESOLUTION #: 13-35

**Dennis Hamilton, R-SE to B-2
Section 15, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial map of the property at 5543 Cincinnati-Dayton Road and the request is to rezone one (1) parcel from Suburban Estate Residential to B-2 Community Business.

Mr. Acuff said it is west of Cincinnati-Dayton Road and south of Kyle Station Road and said last year we had a request to rezone for the parcel across the street, for a medical office, which went through and that was rezoned from Agricultural to B-2 – which is the same district they are requesting here.

Mr. Acuff said parcel #13 here is an existing auto body shop and there is a restaurant just south of it – and it is the body shop that is looking to be rezoned from Residential to Community Business district and currently they are a non-conforming use and they would like to expand and make some changes to their business and are restricted by the Residential zoning.

Mr. Acuff said it is one (1) acre of property in an area that is all zoned Suburban Residential including the restaurant to the south. Mr. Acuff pointed out the property that was rezoned last year from A-1 to B-2.

Mr. Acuff showed a map for the Liberty Township Land Use Plan and said there is a commercial node plan here at Cincinnati-Dayton Road and Kyle Station Road, with General Business on each side of Cincinnati-Dayton Road and other property close by is zoned for Transitional use between the residences and the future commercial district along Cincinnati-Dayton Road.

Mr. Acuff summarized the staff comments and said staff does recommend approval of this zone change, subject to staff conditions and said also said it is consistent with the future Land Use Plan of the Township.

Applicant, Mr. Dennis Hamilton, 5543 Cincinnati-Dayton Road, Liberty Township, said they've been there for 30 years and were looking forward to having more room.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Potter asked Mr. Acuff what is the Department's protocol relative to encouraging any of the broader rezoning – what direction does the planning wants to go at least.

Mr. Acuff said he does not believe the county has any protocol – he has made suggestions to Liberty Township, at the very least the restaurant to the south could be looked at and to rezone these two (2) together – so it has been thought of.

Ms. Wiant made a motion to approve the zone change request for Dennis Hamilton, R-SE to B-2, Section 15, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Brown seconded the motion. Motion approved.

AYES: Wiant, Brown, Baker, Potter, Surber, Barnes, Bullington

NAYES: None

RESOLUTION#: 13.36

FINAL PLATS:

**Herzig's Subdivision, Replat of Part of Lots 7, 8, & 9
Section 20, Town 4, Range 2
Hanover Township**

Mr. Acuff showed an aerial image of the property located on Stahlheber Road and said the parcels we are looking at is this house in the back here, and five (5) other parcels that have been cut up from the original plat. The applicant is looking to combine the back three (3) parcels, and to combine the two (2) front parcels together that way the one (1) acre parcel there, and just over two (2) acres for the existing house towards the back. The homeowners' plan is to build a new house on the lot here (pointed to on map).

Mr. Acuff said staff reports are in the packets and highlighted a couple of the comments, including but not limited to the County Engineers Office's request for both these properties to share a single access point from Stahlheber Road, so now new access onto Stahlheber Road.

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

Mr. Potter asked about the utilities for the property – in particular, the sewer.

Mr. Acuff said the current house is served by onsite septic and the Health Department has reviewed this they say they have no problems with the new lot and getting a new septic system on the new lot.

Mr. Potter asked what the property is zoned.

Mr. Acuff replied it is A-1 Agricultural.

Mr. Bullington made a motion to approve the final plat for Herzig's Subdivision, Replat of Part of Lots 7, 8, & 9, Section 20, Town 4, Range 2, Hanover Township, subject to staff comments. Mr. Potter seconded the motion. Motion carried.

AYES: Bullington, Potter, Barnes, Baker Wiant, Surber , Brown

NAYES: None

RESOLUTION #: 13.37

**Walters Subdivision, Replat of Lots 716 – 718 & 724 – 728,
Section 31, Town 2, Range 3
Fairfield Township**

Mr. Acuff showed an aerial map of the property and stated its proximity to the County Board of Election building, the Regional Highway and Princeton Road.

Mr. Acuff said it is a number of smaller lots on the original plat. There is an existing house on the corner and an existing shed that has since been taken down and has been removed.

Mr. Acuff showed a revised plat which was received this morning and said it is the second copy in the Board members' books. The main difference being Lots 9060 & 9061 are now shorter than they were on the first plat in order to provide room on lot 9063.

Mr. Acuff said Harold Avenue is a platted street although it is not constructed as a street although it's being used as part of the parking lot for the church to the west.

Mr. Acuff said there have been discussions between the Township and the property owner regarding vacating the alley and the street along there and that is planned for some time in the future but they want to get the replat going and start building houses here. So, they are creating four (4) lots from these seven (7) that were there before.

Mr. Acuff said staff reviewed this and had two (2) staff comments and got them back to the Survey and all of the comments were addressed and the only comment we have outstanding is a comment from the City of Hamilton's Utilities Department. Any water service to lot #9060 would have to be extended by the developer. There is a utility easement back behind these lots to allow for access otherwise staff recommends approval.

Mr. Barnes made a motion to approve the final plat for Walters Subdivision, Replat of Lots 716 – 718 & 724 – 728, Section 31, Town 2, Range 3, Fairfield Township subject to staff conditions. Ms. Wiant seconded the motion. Motion carried.

AYES: Barnes, Wiant, Baker, Potter, Surber, Brown, Bullington

NAYES: None

RESOLUTION #: 13.38

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

Mr. Acuff showed an aerial image of the property and said this is a final plat for the next section of Grace Meadows and the area we are reviewing is Phase 2A and pointed it out on the map.

Mr. Acuff showed a plat map of the area and said they are proposing 13 new residential lots and two (2) open space lots here and an extension of Eleventh Hour Lane.

Mr. Acuff showed where a water main easement at the top connects to the neighborhood to the north, which is outside of the area which is being platted here but they are showing that easement to provide the water main connection to the existing service in the neighborhood.

Mr. Acuff said a couple of revisions have been made to the plat and highlighted a few of them.

Mr. Bullington asked if the reason for the water main extension is to loop it or is it just pressure.

Mr. Acuff said he believes so.

Mr. Potter said without the benefit of looking at the preliminary plans for the remainder of it, his assumption is Eleventh Hour Lane will come out and probably make a hard left for connectivity into the north.

Mr. Acuff said this road here was to be extended up this way and across and Eleventh Hour Land will T-bone in to that.

Mr. Brown made a motion to approve final plat for Grace Meadows, Phase 2B, Section 36, Town 3, Range 2, West Chester Township per staff comments. Ms. Wiant seconded the motion. Motion carried.

AYES: Brown, Wiant, Baker, Surber, Potter, Barnes, Bullington

NAYES: None

RESOLUTION #: 13.39

**Carriage Hill, Section 5, Block B
Section 32, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial map of the property and said We saw Carriage Hill Section 5A last month, and this is the remainder of the section, 38 new residential lots on just fewer than 31 acres of land. Section 5A was this section here (pointed to on map) and the remainder of this area is Section 5, Block B.

Mr. Acuff showed a more detailed map and indicated the location of the gas easement.

Mr. Acuff said staff has reviewed the request and proceeded to highlight the staff comments, including the requirement that it cannot be recorded until a Subordination Agreement with Texas Gas stating Subordination Rights has been finalized. Subject to the comments, staff does recommend approval.

Mr. Bullington asked if the sewer and Texas gas pipelines cross each other at any other point.

Ms. Constance Kepner, Water & Sewer, said sanitary crosses with the right-of-way but there is a small portion that is outside of the right-of-way.

Ms. Wiant made a motion to approve the final plat for Carriage Hill, Section 5, Block B, Section 32, Town 3, Range 3, Liberty Township, subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Barnes, Baker, Surber, Potter Bullington

NAYES: None

Resolution #13.40

**Lanes Landing, Section 3
Section 16, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial map of the property and said the proposal is to construct 19 residential lots on a land just shy of 12 acres.

Mr. Acuff showed a map of the area and pointed out to where the future section of Lane's Landing and this whole area was approved as Section 3 preliminary.

Mr. Acuff highlighted the staff comments and said staff recommends approval subject to staff comments, of which most of them have been addressed.

Mr. Barnes made a motion to approve the final plat for Lanes Landing, Section 3, Section 16, Town 3, Range 3, Liberty Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried.

AYES: Barnes, Wiant, Brown, Baker, Surber, Potter Bullington

NAYES: None

Resolution #13.41

ADJOURNMENT:

Mr. Barnes made a motion to adjourn, seconded by Ms. Wiant. 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
July 9, 2013

Chair

Secretary

Lee Margraf