

**Butler County Department of Development
Planning Commission
Hamilton, Ohio**



Meeting Minutes

MEETING: Tuesday, May 10, 2011; 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Kevin Cooney, Vice-Chair
Steven Brown
Lynn Nevel
G. Coe Potter
Joseph Tucker
Shirley Wiant

Absent: Christopher Flaig

Staff Present: David Fehr, AICP, Planning Director
Lee Margraf, Administrative Secretary
Eric Pottenger, Butler County Engineer's Office
Ryan Smith, Butler Soil & Water Conservation District

APPROVAL OF MINUTES:

April 12, 2011 Minutes

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

AYES: Brown, Potter, Cooney, Nevel, Bullington

ABSTAINED: Tucker, Wiant

NAYES: None

ZONE CHANGES:

LTZ11-01, Board of Trustees, Liberty Township

Text Amendment
Liberty Township

Mr. Fehr said the Liberty Township Trustees are proposing a couple of amendments to the Liberty Township Zoning Resolution. Among the changes is a provision to regulate “internet sweepstakes establishments” and changes to other sections of the Zoning Resolution regulating signs, fences and other provisions.

Mr. Fehr said the “internet sweepstakes establishments” are new to this area. The concept is patrons purchase a card and use it like a debit card for use on computers at the establishment for gaming and to win prizes. Mr. Fehr said the Township does not want to permit this type of business.

Mr. Fehr said the items highlights in red are administrative changes and Staff Comments are in the back. Mr. Fehr said staff has reviewed the proposed changes and are suggesting they add a few words to the definition of “fence” to include text that a fence be built using “customary building materials” and the reason is that someone in Clermont County built a “fence” with toilets and this new verbiage will prevent someone from building a fence from a bunch of tires or lawn furniture, etc. Staff has reviewed the document and recommends adoption of this zone change. He added that Mr. Andrew Meyer, Liberty Township Zoning said there is language in there stating what is not allowed to use to build a fence.

Mr. Fehr said the Planning Commission is being asked to make a recommendation back to Liberty Township Zoning Commission and it does need to follow the standard procedure for a Zone Change.

Mr. Bullington suggested including the words “customary exterior building materials” to the definition of “fence” to prevent someone from slapping up drywall or something like that and calling it a fence.

Mr. Andrew Meyer, Liberty Township Zoning, said this point is sufficiently addressed in their code, not in the definition area but they have a whole section on allowable materials.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Ms. Wiant made a motion for approval of Zone Change LTZ11-01, Board of Trustees, Liberty Township, Text Amendment to the Liberty Township Zoning Resolution including the Staff recommendations presented. Mr. Nevel seconded the motion. Motion passed.

AYES: Wiant, Nevel, Cooney, Tucker, Potter, Brown, Bullington

NAYES: None

ABSTAIN: none

Resolution: # 11.14

PRELIMINARY PLATS:

None

FINAL PLATS:

Woodberry, Block C, Part 2

Section 19, Town 2, Range 3

Fairfield Township

Mr. Fehr said this property is located in Fairfield Township and showed an aerial map of the area (property outlined in blue) and to the north is the Butler County Regional Highway, to the west is State Bypass Route 4, to the south is Hamilton-Mason Road, and to the east is Morris Road. They are proposing to take the existing Heathwood Drive here up to the north, knuckle it then turn toward the west as a cul-de-sac. We decided against putting a stub street at the western entrance because you can see on the aerial there is a fairly large pond on the property and there is already an existing (plumbing) business there, so we feel it would be inappropriate for a stub street.

Mr. Fehr showed a plat and said they are seeking approval on Block C, Part 2 which is the lower end of the subdivision.

Mr. Fehr showed the plat and showed where the applicant wants to extend it to the north and where the cul-de-sac would be located and there is more open space to the east than the previous layout and there is now a new developer and he decided to encompass this wetland area in a large open space. There is access between these two (2) lots (pointed to on plat) and the developer wants to put in a walking trail, which would be maintained by the Home Owners' Association.

Mr. Fehr said he's been working with Ryan Smith and Kevin Fall, Soil & Water Conservation, to install signs and add wording to protect the wetland buffer area.

Mr. Tucker asked if there is only one (1) way out of the subdivision.

Mr. Fehr said there is one (1) entrance into the entire development and the applicant is proposing a second entrance at Elbert Drive.

Mr. Eric Pottenger, Butler County Engineers Office, said it is a Township expense if one (1) goes in and the public did not want it.

Mr. Potter asked "in perpetuity"?

Mr. Pottenger said until the Township wants to make the connection.

Mr. Wiant made a motion to approve the final plat for Woodberry, Block C, Part 2, Section 19, Town 2, Range 3, Fairfield Township subject to bond. Mr. Tucker seconded the motion. Motion carried.

AYES: Wiant, Tucker, Brown, Cooney, Nevel, Potter, Bullington

NAYES: None

Resolution#: 11.15

The Highlands, Section 3
Section 23, Town 3, Range 2
West Chester Township

Mr. Fehr showed an aerial map of the area and showed the property in proximity to Interstate Route 75 and said the property is outlined in blue.

Mr. Fehr said this is a final plat and the end user will be a bank.

Mr. Fehr showed a plat of the property and stated there will be no driveway access from Cincinnati-Dayton Road or Highland Pointe Drive and there will be joint access with Lot 3.

Mr. Fehr said the applicant has submitted plans and has met all requirements.

Mr. Bullington asked if the detention will be on this hill (pointed to on the map).

Mr. Fehr said it is hard to see elevation on the aerial image and pointed to it and said all stormwater detention was put in previously.

Mr. Brown made a motion to approve the final plat for The Highlands, Section 23, Town 3, Range 2, West Chester Township, subject to bond. Mr. Cooney seconded the motion. Motion carried.

AYES: Brown, Cooney, Nevel, Potter, Wiant, Potter, Bullington

NAYES: None

Resolution#: 11.16

OTHER BUSINESS:

Appoint Michael F. Juengling as, and David Fehr as alternate, the Ohio-Kentucky-Indiana Regional Council of Governments, Intermodal Coordinating Committee representative, for the term beginning July 1, 2011 and expiring June 30, 2012.

Mr. Potter made a motion to appoint Michael F. Juengling as, and David Fehr as alternate, the Ohio-Kentucky-Indiana Regional Council of Governments, Intermodal Coordinating Committee representative, for the term beginning July 1, 2011 and expiring June 30, 2012. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Tucker, Nevel, Brown, Cooney, Bullington

NAYES: None

Resolution#: 11.17

ADJOURNMENT:

Mr. Potter made a motion to adjourn. Ms. Wiant 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
May 10, 2011

Chair

Secretary

Lee Margraf