



**BUTLER COUNTY  
PLANNING COMMISSION  
Meeting Minutes**

**MEETING:** Tuesday, May 8, 2012; 3:00 p.m.

**ROLL CALL:**

**Present:** Charles Bullington, Chair  
Steven Brown  
Lynn Nevel  
G. Coe Potter  
Shirley Wiant

**Absent:** Kevin Cooney, Vice-Chair  
Tom Barnes

**Staff present:** Peter Z. Acuff, Planning Administrator  
David Fehr, AICP, Director of Development  
Lee Margraf, Administrative Secretary  
Kevin Fall, Soil & Water Conservation  
Constance Kepner, Water & Sewer  
Eric Pottenger, Butler County Engineers Office

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**APPROVAL OF MINUTES:**

**Meeting Minutes from April 10, 2012**

Mr. Nevel made a motion to approve the April 10, 2012 Meeting Minutes as submitted. Mr. Potter seconded the motion.

AYES: Nevel, Potter, Wiant, Cooney

ABSTAIN: Brown

NAYES: None

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**ZONE CHANGES:**

**Morgan Township Text and Map Amendments (MTZ 12-01) to Zoning Resolution  
Morgan Township**

Mr. Acuff said the proposed text amendments and maps were given to the Planning Commission Board members for their review and recommendations.

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Mr. Acuff highlighted some of the proposed changes and said staff has reviewed them and the only comments staff has relates to Section 4.01 under *Accessory Structure* and they recommend removing the regulatory language from the definition and move it to a separate section.

Mr. Acuff showed a map of the area and identified each of the parcels that would be affected by the proposed change (each outlined in purple).

Mr. Acuff said Sections 19.11 and 19.12 are acceptable as proposed. The Township is proposing to remove Article 17, which is the article that creates the F1 Zoning District. As a result, a number of properties will have to be rezoned. Most of these properties are split in two (2) with zoning so it is taking the F1 portion of it and return it to the same zoning as the rest of the parcel.

Mr. Acuff said upon staff review, there would need to be a change made to Section 6.07 of the Zoning Resolution which refers to the F1 Zoning District and staff recommends adoption of the proposed text and map amendments with the staff comments and the further comment to look at Section 6.07.

Mr. Bullington asked if there are any railroad cars sitting on some of those lots. Under New Accessory Structure, it states, "This use or structure cannot be originally used or built for another purpose, this would include; but is not limited to railroad cars, mobile homes, abandoned buildings and semi-trailers."

Mr. Ed Teets, Morgan Township Zoning Administrator, said semi-trailers have been used in the past but it is not an issue.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL COMMENTS: None

Mr. Bullington made a motion to approve the Morgan Township Text and map Amendments, Morgan Township, as presented and with staff comments. Mr. Potter seconded the motion. Motion carried.

Mr. Fehr said this recommendation will get forwarded to Morgan Township and their Zoning Commission will meet on this, and then it gets forwarded to Morgan Township Trustees for approval.

**RESOLUTION #: 12.21**

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**Reily Township Text Amendments (RTZ 12-01) to Zoning Resolution  
Reily Township**

Mr. Acuff said Reily Township is also proposing a handful of text amendments to their Zoning Resolution.

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Mr. Acuff highlighted some of the proposed changes and said staff has reviewed them and, with the exception of a few spelling corrections needed, staff does recommend approval of the proposed amendments as submitted.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Brown made a motion to approve the Reily Township Text Amendments (RTZ 12-01), Reily Township, as submitted once spelling errors are fixed. Ms. Wiant seconded the motion. Motion carried.

AYES: Brown, Wiant, Potter, Nevel, Bullington

NAYES: None

**RESOLUTION #: 12.22**

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**PRELIMINARY PLATS:**

**Rentschler Estates, Section Three  
Section 15 & 16, Town 2 Range 3,  
Fairfield Township**

Mr. Acuff showed an aerial map of the property located just north of State Route 4 (S.R. 4) in Fairfield Township and said they are proposing 31 lots (outlined in red) and identified a stub street to the east to accommodate future development.

Mr. Acuff presented a plat map and pointed out a unique corner lot, and said the existing parcel has a panhandle-like shape that runs out to S.R. 4 was ignored on the first plan submitted and we asked them to address it and they attached it to this parcel (pointed to on plat map) and a note will be placed on the final plat which said there will not be a driveway access to S.R. 4 through that area.

Mr. Acuff highlighted a few of the staff comments such as requiring a note be placed on the final plat regarding high water tables; a local plan drawn at a scale of one inch (1') = 300 feet must be drawn on the final plat; the reduction in sidewalk width from the new standard of five feet (5') to match the existing four feet (4') width sidewalks to match the rest of the development will require a waiver from the Planning Commission, which will be reviewed as a separate motion today; and requested details & restrictions of the conservation easement noted on the east side of the plat must be included in the Home Owners' Association documents for this section.

Mr. Bullington asked if the detention is already in.

Mr. Fehr replied yes, there is a big pond out front which can be seen from S.R. 4.

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Mr. Bullington made a motion to approve the preliminary plat for Rentschler Estates, Section Three, Section 15 & 16, Town 2, Range 3, Fairfield Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried.

AYES: Bullington, Wiant, Brown, Potter, Nevel

NAYES: None

**RESOLUTION #: 12.23**

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**Request to Reduce Sidewalk Width  
Rentschler Estates, Section Three  
Section 15 & 16, Town 2 Range 3,  
Fairfield Township**

Mr. Bullington said there is a request for a waiver to reduce the sidewalk from five feet (5') to four feet (4') in Rentschler Estates, Section Three, Section 15 & 16, Town 2 Range 3, Fairfield Township. This would allow make it match the existing sidewalks in other sections of the subdivision.

Mr. Nevel made a motion to approve the request to reduce sidewalk width from **five feet (5") to four feet (4')** Rentschler Estates, Section Three, Section 15 & 16, Town 2, Range 3, Fairfield Township. Mr. Potter seconded the motion. Motion carried.

AYES: Nevel, Potter, Brown, Wiant, Bullington

**RESOLUTION#: 12.24**

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**The Estates of Hawthorne Hills, Section Two, Block B  
Section, 21 Town 3, Range 3  
Liberty Township**

Mr. Acuff showed an aerial map of the property in Liberty Township and said this is the later section of The Estates of Hawthorne Hills and is located on the north side of Millikin Road and they are proposing 15 lots along the extension of Dantawood Lane here (pointed to on map).

Mr. Acuff said this preliminary plat was presented to the Planning Commission back in late 2010 and is largely the same design now as it was then and there was some outstanding issues with engineering and the Planning Commission denied it at that time. Those issues have been resolved and, subject to a lengthy list of staff comments, staff is recommending approval of the preliminary plat at this time contingent upon them receiving a variance which he will detail shortly.

Mr. Acuff highlighted a few of the 23 staff comments said the big concern is the 100 foot building setback requirements and lots 71 – 75 from the Millikin Road right-of-way makes this lot here

(pointed to on map) unbuildable. In discussing this with the Township, staff's recommendation is to approve the preliminary plat subject to the developer receiving a variance for the setbacks requirements on Lot 74, if not all three of those lots (Lots 73 – 75) to allow sufficient buildable area.

Ms. Wiant asked if Lot 74 is an empty lot.

Mr. Acuff replied yes.

Mr. Bullington asked if the setback from the street is 50 feet.

Mr. Fehr said along Millikin Road the Township requires 100 feet.

Mr. Bullington said he was trying to figure out how much room is left on Lots 73 and 72.

Mr. Acuff said staff is not recommending which variance as that would be up to Liberty Township and there would be some allowance as this moves forward.

Mr. Acuff showed a plat map and further detailed the setback lines discussed for Lots 72 and 73.

Mr. Bullington asked if Liberty Township has recommended the sidewalk to be changed to an eight foot (8') wide asphalt to maintain consistency with the property to the west that is there now.

Mr. Fehr replied yes, that was done as a PUD so we cannot require them to do it but it would be nice for all of that to be connected, so it is a recommendation not a requirement.

Mr. Potter made a motion for approval of the preliminary plat for The Estates of Hawthorne Hills, Section Two, Block B, Liberty Township, subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Potter, Brown, Nevel, Wiant, Bullington

NAYES: None

RESOLUTION: 12.25

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**Request to Reduce Sidewalk Width  
The Estates of Hawthorne Hills, Section Two, Block B  
Section, 21 Town 3, Range 3  
Liberty Township**

Mr. Bullington said there is a request for a waiver to reduce the sidewalk width from five foot (5') to four foot (4') at the Estates of Hawthorne Hills, Section Two, Block B, Section, 21 Town 3, Range 3, Liberty Township.

Mr. Nevel made a motion to approve the sidewalk width reduction waiver for the Estates of Hawthorne Hills, Section Two, Block B, Section 21, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Potter seconded the motion. Motion carried 5-0.

AYES: Nevel, Potter, Brown, Wiant, Cooney

NAYES: None

**RESOLUTION#: 12.26**

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**FINAL PLATS:**

Bridle Farm, Section One, Replat of Lots 7, 8 & 9  
Section 21, Town 3, Range 3  
Liberty Township

Mr. Acuff said this final plat is just north of the last site and the other end of the existing Dantawood Drive and showed an aerial image of the property located in Liberty Township.

Mr. Acuff said there were a handful of suggestions given to the developer by staff and a revised plat was submitted and addressed the concerns and the only thing outstanding is the Water and Sewer fee needs to be paid, but aside from that, staff is recommending approval of the final plat.

Mr. Bullington commented it was hard to tell the location of this property looking at the vicinity map.

Mr. Acuff said it is about  $\frac{1}{4}$  -  $\frac{1}{2}$  mile north of the last plat we saw, The Estates of Hawthorn Hills, Liberty Township.

Mr. Brown made a motion to approve the final plat for Bridle Farm, Section One, Replat of Lots 7, 8 & 9, Section 21, Town 3, Range 3, Liberty Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried.

AYES: Brown, Wiant, Nevel, Potter, Bullington

NAYES: None

**RESOLUTION#: 12.27**

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**OTHER BUSINESS:**

Appoint David Fehr as the Butler County Planning Commission's representative to the Ohio, Kentucky, Indiana Regional Council of Government (OKI) Intermodal Coordinating Committee (ICC) for fiscal year July 1, 2012 - June 30, 2013.

Mr. Potter made a motion to appoint Mr. Fehr as the as the Butler County Planning Commission's representative to the OKI ICC for fiscal year July 1, 2012 - June 30, 2013. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Nevel, Brown, Bullington

NAYES: None

**Resolution#: 12.28**

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Appoint Zeb Acuff as the Butler County Planning Commission's alternate representative to the OKI ICC for fiscal year July 1, 2012 - June 30, 2013.

Mr. Nevel made a motion to Appoint Zeb Acuff as the Butler County Planning Commission's alternate representative to the OKI ICC for fiscal year July 1, 2012 - June 30, 2013. Mr. Potter seconded the motion. Motion carried.

AYES: Nevel, Potter, Wiant, Brown, Bullington

NAYES: None

**Resolution#: 12.29**

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**ADJOURNMENT:**

Mr. Potter made a motion to adjourn, seconded by Mr. Brown. 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  
May 8, 2012

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Chair

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Secretary

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Lee Margraf