



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING: Tuesday, November 8, 2011; 3:00 p.m.

ROLL CALL:

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

Absent: Tom Barnes
Steven Brown
Christopher Flaig

Staff Present: David Fehr, AICP, Planning Director
Lee Margraf, Administrative Secretary
Kevin Fall, Butler Soils & Water Conservation
Constance Kepner, Water & Sewer Department
Eric Pottenger, Butler County Engineers Office

APPROVAL OF MINUTES: No Minutes to approve

Mr. Mike Juengling, Butler County Director of Development (and former Director of Planning Department) introduced himself and announced to the Planning Commission that he is taking a position with West Chester Township and wanted to say farewell to the Planning Commission and thanked them all for all of their work and wished he could say this to all the previous Planning Commission Board members as well.

Mr. Potter said prior to being on the Planning Commission he was on the Rural Zoning Commission for so many years and he was on it when Mr. Juengling came to work for Butler County so he has worked with him ever since Mr. Juengling came to Butler County and said he has done an outstanding job.

Mr. Juengling said it's been thirty years since he came to work for Butler County and said he would like to thank all of the folks that have been on the Rural Zoning Commission over the years as well.

ZONE CHANGES: None

PRELIMINARY PLATS: None

**Windsor Estates Subdivision
Section 34 & 28, Town 3, Range 3
Liberty Township**

Mr. Fehr said this preliminary plat request is located in Liberty Township and is actually the third re-approval of the preliminary plat so this project started several years ago.

Mr. Fehr showed an aerial map of the area and said everything on the north side of Hankins Road is actually in the City of Monroe and everything on the south side of the road is in Liberty Township. The area outlined in red is the first phase of the subdivision which has already been constructed (lots outlined in red) and recorded so this aerial image is a little outdated.

Mr. Fehr said the remainder of the property goes to the south and encompasses the remaining parcels.

Mr. Fehr presented an image of an overview of the entire project and said during the summer of 2011 additional phases got constructed over to Mauds Hughes which has not been recorded yet but has been constructed and you can see the remainder of the project and they have not made any significant changes to the roadway configuration from the previous preliminary approval and just a few minor lot adjustments have been made.

Mr. Fehr said a copy of Staff Comments is in the packets and the first six (6) items are standard items. Mr. Fehr highlighted a few of the other items as follows: Item 7, the Butler County Engineers Office (BCEO) is requiring an updated and revised Traffic Impact Study be included. Item 10 relates to the amount of units and at what point a second entrance is necessary to allow an alternative way to get in and out safely, which has been done but not recorded yet. Item 12 relates to Soil & Water Conservations request to require a High Water Table note on the plat. Item 15 they would like to see some additional soil testing done on two of the cul-de-sac lots. Mr. Fehr said staff comments are in the packets.

Mr. Bullington asked if detention is required in this.

Mr. Fehr said yes – there is a basin that has already been constructed in this vicinity (pointed to on map) and another that has been constructed and will be recorded with that phase of the project and additional ones as noted.

Mr. Nevel made a motion to approve the preliminary plat as presented for Windsor Estates Section 34 & 28, Town 3, Range 3, Liberty Township. Mr. Potter seconded the motion. Motion carried.

Ms. Wiant asked where Roden Park goes to.

Mr. Fehr said it will actually connect into the City of Monroe.

Mr. Nevel made a motion to approve the Preliminary Plat for Windsor Estates, Section 34 & 28, Town 3, Range 3, Liberty Township, subject to Staff Conditions. Mr. Potter seconded the motion. Motion carried.

AYES: Nevel, Potter, Cooney, Wiant, Bullington

NAYES: None

Resolution: # 11.39

**Windsor Estates Subdivision
Liberty Township
Request to extend preliminary approval period from 2 years to 5 years**

Mr. Fehr said our Subdivision Regulations on Preliminary Plat Approval is only good for two (2) years. The Applicant sent a letter requesting the Approval be extended out to five (5) years due to the current housing economy and Staff is ok with that.

Mr. Potter made a motion to approve the request to extend preliminary approval period from 2 years to 5 years for Windsor Estates Subdivision, Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Cooney, Nevel, Bullington

NAYES: None

Resolution: #11.40

FINAL PLATS:

**Winding Creek, Section 1A, Replat Lots 1 -21
Section 32, Town 3, Range 3
Liberty Township**

Mr. Fehr showed an aerial image of the property and said this is a request for a replat of the existing Winding Creek Subdivision and the lots are outlined in red and you can see a couple of the homes already exist.

Mr. Fehr said they intend to replat the lot, a couple of lots will go away. There were previously two (2) lots in this vicinity and the existing homeowner wanted some additional property and so what they will do is take their existing lot and combine it with the lot to the west and that would be an elimination of one (1) lot; and then secondarily they are going to create a hiker/biker path from the cul-de-sac out to Millikin Road and it will be open space lot to make

that happen. He added the replat would create those two (2) new lots and there are some additional adjustments to those lots and Staff does recommend approval.

Mr. Potter asked what the rationale is by merging those two (2) lots.

Mr. Fehr said the home owner bought two (2) lots to give them more space so as part of the replat we are requiring the developer to combine those lots.

Mr. Potter asked if the applicant is expanding the house and said he did not understand the rationale.

Mr. Fehr replied no, the house is already built.

Mr. Jon West, Liberty Township Zoning, said the Applicants bought the lot after they built their house and are combining it to get just one (1) tax bill rather than paying for taxes on the house and another bill for vacant lot as a buildable lot.

Mr. Nevel made a motion to approve the final plat for Winding Creek Winding Creek, Section 1A, Replat Lots 1 -21, Section 32, Town 3, Range 3, Liberty Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Nevel, Cooney, Potter, Wiant, Bullington

NAYES: None

Resolution: #11.41

**Winding Creek
Section 32, Town 3, Range 3
Liberty Township
Sidewalk Waiver Request**

Mr. Fehr said this was also mailed to the Planning Commission prior to the meeting. The Applicant is requesting to waive constructing the sidewalk along the County road and try to replicate it on the purple line. The County Subdivision Regulations require a subdivision to construct a sidewalk along the frontage of all County Streets and what they are proposing as an alternative is to create a hiker/biker trail from the end of the cul-de-sac out to Millikin Road as indicated by the green line. Liberty Township has recommended approval and Staff also recommends approval of the sidewalk waiver.

Mr. Fehr said people with the developer are here if there are any questions.

Mr. Bullington asked if this is part of the Terry property they saw last month with the hiker/biker trail.

Mr. Fehr replied yes, this is Liberty Township's overall bike plan and the Township's intent is to get a trail from Gregory Creek through the Terry property over State Route 747 and this replat will help accomplish that so they are giving up some of the sidewalk for the hiker/biker trail.

Ms. Wiant made a motion to approve the sidewalk waiver request for Winding Creek Section 32, Town 3, Range 3, Liberty Township, Sidewalk Waiver Request. Mr. Nevel seconded the motion. Motion carried.

AYES: Wiant, Nevel, Cooney, Potter, Bullington

NAYES: None

Resolution: #11.42

**Harbour Towne Park, Section 1, replat Lot 28
Section 9, Town 2, Range 3
Liberty Township**

Mr. Fehr said there is an aerial photo in the packet and said the Applicant is requesting to take an existing lot off of Sanibel Lane indicated here (on map) and it is currently a buildable lot and you can put one (1) house on there but it also includes the retention pond of the subdivision. They are requesting that the lot with the house be split out and the pond be split out as a separate open space lot.

Mr. Fehr said the configuration of the replat is basically all the area by the pond is open space and so they would be taking it from one (1) lot to two (2) lots. The Township and Staff have reviewed this and recommend approval.

Mr. Nevel made a motion to approve final plat for Harbour Towne Park, Section 1, replat Lot 28, Section 9, Town 2, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Wiant, Nevel, Cooney, Potter, Bullington

NAYES: None

Resolution: #11.43

**Weathered Oaks, Section 12, Block A, Replat Lot #6900
Section 13, Town 2, Range 3
Fairfield Township**

Mr. Fehr said there is an aerial photograph in the packets and is a lot with an existing home along the rear property line of all of these lots was originally a 20' drainage easement and the idea was to cut in a swale for a low area to take all of the drainage from the homes and run it through the swale then get it out to the storm water system. The applicant is requesting to reduce the 20' storm sewer easement down to a five (5) foot easement and they have been working with the County Engineers Office and what they have done is to construct a catch

basin up in this corner and capture all that water and instead of just letting it flow along the ground it is actually being piped down so a catch basin was installed, a 12" pipe was put in and it enters the catch basin down here and then it goes out to the street. This allows the home owner to level their yard out and construct a driveway and basically gives them more useable area all the while we are still capturing all of the storm water.

Mr. Fehr said staff does recommend approval of this replat.

Mr. Potter made a motion to approve the replat for Weathered Oaks, Section 12, Block A, Replat Lot #6900, Section 13, Town 2, Range 3, Fairfield Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Cooney, Nevel, Bullington

NAYES: None

Resolution: #11.44

**Wetherington, Section 14, Replat Lots 403 & 404
Section 18, Town 3, Range 2
West Chester Township**

Mr. Fehr said an aerial image is in the packets. This is a replat and this is a swap of land between property owners. The existing property line is located here (black line mid-between the houses) and you can see on the aerial by the different colors of the grass, the home owners thought the property line was here but the real property line is indicated on the photo with the black line, so what they would like to do is take the property line to where this driveway is and then angle it and follow the line indicated by the change in the grass color and it's about 20' at the widest part of the triangular shape so it would be a swap between adjoining property owners.

Mr. Fehr said this has been approved by West Chester Township Zoning Commission and Staff does recommend approval.

Ms. Wiant made a motion for approval of replat for Wetherington, Section 14, Replat lots 403 & 404, Section 18, Town 3, Range 2, West Chester Township. Mr. Nevel seconded the motion. Motion carried.

AYES: Wiant, Cooney, Nevel, Potter, Bullington

NAYES: None

Resolution: #11.45

OTHER BUSINESS:

**Final B-PUD approval Rowe Sports Complex
Madison Township**

Mr. Fehr told the Planning Commission this may look familiar because it was presented last summer as re-zoning case in Madison Township.

Mr. Fehr showed an aerial image of the property and said the property is outlined in blue on the north side of Trenton-Franklin Road.

Mr. Fehr said the intent of the BPUD was to put a sports complex and there is an existing detention basin on the property. There would be a parking area, an office, shelter and then two (2) baseball diamonds for Little League baseball up to age 13 years old and they had talked about sand volleyball in the future but this is the final BPUD for what they are calling Phase 1 and they really have not changed anything from the original plans that were presented except to pull out the volley ball and other accessory things.

Mr. Fehr said this does meet all of the B-PUD Requirements and Staff recommends approval.

Mr. Cooney made a motion for approval of the final B-PUD. Ms. Wiant seconded the motion. Motion carried.

AYES: Cooney, Wiant, Nevel, Potter, Bullington

NAYES: None

Resolution: #11.46

Revisions to Butler County Subdivision Regulations – Butler County Engineers Office

Mr. Fehr said a copy of the changes to the Subdivision Regulations were mailed out to the Planning Commission members a couple of weeks ago, however, there is one (1) additional item (handout) which Mr. Fehr distributed.

Mr. Fehr said there was discussion with our office and the development community about extending our Preliminary Plat Approval period and we have seen a number of waiver requests in the past few years, which we typically grant, and our proposal was to change the Approval of Preliminary Plat approval period from two (2) years out to five (5) years and that will be a change in Section 3.10, there is a subsection 3.12 and we can make that change also.

Mr. Fehr said really these changes have been driven by Butler County Engineer's Office, and introduced Mr. Greg Wilkens, Butler County Engineers Office to speak.

Mr. Wilkens gave an overview of the highlights of the proposed changes to the Subdivision Regulations and gave a little background information as well.

Mr. Wilkens said they have had discussions and worked with Ohio Valley Development Council (OVDC) with reference to all of these and worked on something both sides could live with. Information included changes to Bonds, Punch lists for street acceptance and inspections, Water Standards, Street Sections and Storm Water Management Standards.

Mr. Potter made a motion for approval of the proposed Revisions to Butler County Subdivision Regulations – Butler County Engineers Office. Mr. Nevel seconded the motion. Motion carried.

AYES: Potter, Nevel, Cooney, Wiant, Bullington

NAYES: None

Resolution: #11.47

Mr. Bullington asked Mr. Fehr if they will have to appoint someone else for the OKI Board appointments that Mike Juengling held.

Mr. Fehr said two (2) weeks ago, the Butler County Commissioners appointed him to fill the position that Mike Juengling held (Director of Development) and they are in the process of having him replace Mike Juengling on the Board appointments which he held.

Mr. Fehr added that the County has placed a Classified Ad for a Planning Administrator which will replace him and once that position is filled, that person will be responsible for running the Planning Commission, Rural Zoning Commission and Land Use Plan activities.

ADJOURNMENT:

Ms. Wiant made a motion to adjourn, seconded by Mr. Potter. 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
November 8, 2011

Chair

Secretary

Lee Margraf