



**BUTLER COUNTY  
PLANNING COMMISSION  
Meeting Minutes**

**MEETING:** Tuesday, October 8, 2013, 3:00 p.m.

**ROLL CALL:**

**Present:** Charles Bullington, Chair  
Kevin Cooney, Vice Chair  
Steven Brown  
Beth Surber  
Shirley Wiant

**Absent:** Dave Baker  
Tom Barnes  
G. Coe Potter

**Staff present:** Peter "Zeb" Acuff, Planning Administrator  
Lee Margraf, Administrative Secretary, Dept. of Development  
Amy Cameron, Butler Soil & Water Conservation  
Constance Kepner, Butler Water & Sewer  
Eric Pottenger, Butler County Engineers Office

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

**APPROVAL OF MINUTES:**

**September 10, 2013 Minutes**

Ms. Wiant made a motion to approve the September 10, 2013 Meeting Minutes as submitted.  
Mr. Cooney seconded the motion. Motion carried.

**AYES:** Wiant, Cooney, Surber, Bullington

**ABSTAIN:** Brown

**NAYES:** None

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**ZONE CHANGES:**

**LTZ 13-05  
Liberty Township Trustee's Text Amendment  
(Create R-E Residential Estates District)  
Liberty Township**

Mr. Acuff said the packets were mailed to the Planning Commission members as well as inserting them in the binders here with the full text of the proposed changes to Liberty Township Text Amendment Resolution.

Mr. Acuff gave a brief overview of the proposed changes to the text.

Mr. Jonathan West, Liberty Township, Director of Planning & Zoning, said he is here to answer any questions.

Mr. Bullington asked for clarification on page 56 there's a detailing of what is included – single family dwelling with water & sewer and Foot Note #3.

Mr. West said both will have water and sewer where it is consistent with the Land Use Plan and recorded as a residential subdivision and they can develop under the R-1 standards the same as the A-1. The goal is to create a residential district which mirrors the A-1 Agricultural District with the exception of cell communication towers. Cell phone towers are by a permitted use by rights in the Agricultural or Commercial districts – and it is not appropriate to have cell communication cell phone towers adjacent to all of these subdivisions so we wanted to create a new district that is residential which now makes cell towers a condition.

Mr. Bullington said if it's limited to 20,000 square feet acreage which is exactly the same as Single Family Dwellings – what would the difference be?

Mr. West said in a non-subdivision tract it would be two (2) acres; in a recorded subdivision with public water and sewer and if it is consistent with Land Use Plan they can develop a 20,000 square foot lot in a standard subdivision under the R-E District.

Ms. Surber asked Mr. West if there are any cell towers there now in the areas that are being considered.

Mr. West replied no.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL COMMENTS: None

Mr. Bullington made a motion to approve LTZ 13-05, Liberty Township Trustee's Text Amendment (Create R-E Residential Estates District), Liberty Township, as submitted. Mr. Brown seconded the motion. Motion carried.

AYES: Bullington, Brown, Cooney, Surber, Wiant.

NAYES: None

**RESOLUTION: 13-54**

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**LTZ 13-06**

**Liberty Township Trustee's Map Amendment (Rezone Residential Subdivisions from A-1, Liberty Township)**

Mr. Acuff showed current and proposed zoning maps and said this is the first in a series of Map Amendments to update some specific areas, quadrant by quadrant, to update the zoning map and to better match with what the Land Use Plan calls for and with the development pattern on the ground. He added the areas outlined in blue are proposed for rezoning, the majority are platted subdivisions which are currently zoned Agricultural and the proposal will change some to R-1, R-SE and the new R-E District we just discussed would be applied to these (pointed to) lots.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Cooney made a motion to approve LTZ 13-06, Liberty Township Trustee's Map Amendments as presented. Ms. Wiant seconded the motion. Motion carried.

AYES: Cooney, Wiant, Surber, Brown, Bullington

NAYES: None

**RESOLUTION # 13-55**

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**WCTZ 13-03**

**Major Change to PUD, Highlands Market Square  
West Chester Township**

*(Audio cassette failure – used digital back up file)*

Mr. Acuff showed a map of this area in Liberty Township and said the proposal is for the area just north of the Route 75 interchange and just south of the retention pond. The original PUD in 2006 excluded the use as a self-storage and the proposal is calling for the extension of these retail commercial buildings here and the proposal is to take the northern part of this for self-storage as a principal permitted use in the C-PUD at Highlands Market Square.

Mr. Acuff said staff comments are included in the Board members' packets. Staff met and has reviewed this proposal and staff's recommendation is for denial and stated the concerns to support the recommendation for denial.

Mr. Jeff Chamot, Neyer Properties, 2135 Dana, Cincinnati, Ohio, Applicant, introduced himself and described the proposal for the self-storage use and three (3) out lots along Cincinnati Dayton Road.

Mr. Bob Krumdieck, operator & developer of self-storage company, 6257 Springdale, Road Cincinnati, Ohio, spoke and gave more detail on the proposed self-storage and some background on the self-storage industry and the demand.

Ms. Surber asked what impact this will have on the TIF (Tax Increment Financing) District and did they collaborate.

Mr. Acuff replied he does not have any market data and said it was a concern in their discussions and in fact this is in a TIF district.

Ms. Wiant asked Mr. Krumdieck if the other storage facilities he mentioned are full to capacity or how many are empty.

Mr. Krumdieck replied the facility located closest to this is at Tylersville Road/Bypass 4 and it was 98% full when they added an additional 20,000 square feet to it and all of their facilities are either 90% or above in capacity. He added there is no preleasing of storage space and they would build it in phases.

Ms. Surber asked if Mr. Krumdieck had said they would build this contingent upon the development of the three (3) out lots out front.

Mr. Chamot replied no, it is not contingent upon but requested in the C-PUD Request as well.

Ms. Surber asked if there were any restrictions on the materials or with the buffering.

Mr. Chamot replied he would assume it would have the same restrictions as the rest of the development.

Mr. Bullington said while looking at this plat, how would they mitigate the buildings where they didn't have a basement underneath or is that their intent but by the time you turn you around the corner it is about 30 feet lower.

Mr. Chamot said the bottom of the existing pond is about 25 feet lower and this would slip down and it is about a 3:1 grade down and they would bring some dirt in and move it out and we would move the existing slope out.

Mr. Brown said that would be about 10 to 15 feet according to the grade lines here and talking about 15 feet of fill, then asked if it will require a retaining wall.

Mr. Chamot said they will look at that with the engineers to see if a retaining wall is required.

Mr. Brown asked if the sanitary is already in – and at what depth?

Mr. Charmot said it is in but he didn't know the depth.

TESTIMONY IN FAOVR: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Bullington made a motion to deny WCTZ 13-03, Major Change to PUD, Highlands Market Square, West Chester Township based on staff recommendations. Ms. Wiant seconded the motion. Motion carried 3 – 2.

AYES: Bullington, Wiant, Brown

NAYES: Cooney, Surber

RESOLUTION #: 13.56

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**PRELIMINARY PLATS:**

**Aspen Trails, Section Five  
Section 4, Town 2, Range 3  
Liberty Township**

Mr. Acuff showed an aerial image of the property and said we saw Section Four last month. This is a preliminary plat for 40 lots and a road connection to State Route 747 and is planned for retirement nursing facility here.

Mr. Acuff highlighted the staff comments and said staff recommends approval.

Mr. Cooney made a motion to approve Aspen Trails, Section Five, Section 4, Town 2, Range 3, Liberty Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 5 – 0.

AYES: Cooney, Wiant, Brown, Surber, Bullington

NAYES: None

RESOLUTION #: 13.57

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**Sidewalk Width Requirement Waiver  
Aspen Trails, Section Five  
Section 4, Town 2, Range 3  
West Chester Township**

Mr. Acuff said this is a two-part waiver request. First, the applicant would like to put four (4) foot wide sidewalks on the interior roads instead of the five (5) foot wide required. The existing sidewalks within the development that are already there are four (4) feet wide sidewalks and they would like to continue that on the interior streets.

The second part of this request is to waive the sidewalk requirements from on both side of streets, they wish to have just one (1) sidewalk on the north side of the street on Aspen Wood Drive so the waiver would be to waive the requirement of two (2) sidewalks and have just one which will be a wider (eight feet wide) walking path, (in blue on the map) on the north side of the street and to waive the construction of a sidewalk on the south side.

Mr. Brown made a motion to approve the two-part waiver for Sidewalk Width Requirement Waiver, Aspen Trails, Section Five, Section 4, Town 2, Range 3, West Chester Township as proposed. Ms. Wiant seconded the motion. Motion carried 5 – 0.

AYES: Brown, Wiant, Surber, Cooney, Bullington

NAYES: None

**RESOLUTION #: 13.58**

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**FINAL PLATS:**

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

Mr. Acuff said this plat consists of 16 residential lots and he showed an aerial image of the property and said this connects into Cinnamon Woods Estates subdivision.

Mr. Acuff highlighted staff comments and said staff recommends approval subject to staff conditions.

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

AYES: Wiant, Brown, Cooney, Surber, Bullington

NAYES: None

**RESOLUTION #: 13.59**

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**Carriage Hill, Section Six  
Section 2, Town 2, Range 3  
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is 39 lots proposed on 17.6 acres and stated this contains smaller lots than previously seen in Carriage Hill and this phase will develop more towards the empty nester/patio type of residential homes. Mr. Acuff showed a plat map of the property.

Mr. Acuff highlighted the staff comments and said staff does recommend approval subject to those comments.

Ms. Wiant made a motion to approve final plat for Carriage Hill, Section Six, Section 2, Town 2, Range 3, Liberty Township subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Cooney, Surber, Bullington

NAYES: None

RESOLUTION #: 13.60

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**Carriage Hill, Section Seven  
Section 32, Town 3, Range 3  
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is for 15 lots on property just shy of 25 acres and showed a plat map of the property and stated this was seen initially as a preliminary plat for Section Five (5) at that time, but is now as a final plat labeled Section Seven.

Mr. Acuff said these will have much larger lots, more typical to what we have seen at Homerama 2013 and this section will be part of Homerama 2014. Staff has reviewed this and recommends approval subject to staff conditions.

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

AYES: Brown, Cooney, Wiant, Surber, Bullington

NAYES: None

RESOLUTION#: 13.61

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**OTHER BUSINESS:**

**Lakota Woods Sidewalk Waiver  
Section 16, Town 3, Range 3  
Liberty Township**

Mr. Acuff showed an aerial image of the property and said there are issues with buffers and mounding and gave further detail of the request.

Mr. Acuff said staff recommends approval of the configuration of sidewalks as shown on the sketch provided.

Mr. Bullington asked if it would have five foot (5') sidewalks.

Mr. Acuff replied yes.

Ms. Wiant made a motion to approve the request for Lakota Woods' Sidewalk Waiver, Section 16, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Surber, Baker, Bullington

NAYES: None

RESOLUTION#: 13.62

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**West Chester Township Comprehensive Land Use Plan 2013 Update  
West Chester Township**

Mr. Acuff said copies of the Land Use Plan update were sent out and was adopted by the Township in June and has come to this Board for review and approval as adoption for a portion of the County's Land Use Plan and the Township is in the process of adopting theirs and West Chester has already done this and this is their proposed new Land Use Plan. Mr. Acuff said their changes are minimal.

Mr. Brian Behrmann, West Chester Township, spoke and gave an update on the West Chester Township Land Use Plan Update and gave more detail as to the changes proposed.

Mr. Bullington said he was impressed with the proposal and data included in it and found it very informative.

Mr. Brown made a motion to recommend approval of the West Chester Township Comprehensive Land Use Plan Update (2013) as presented. Mr. Bullington seconded the motion. Motion carried.

AYES: Brown, Bullington, Cooney, Surber, Wiant



NAYES: None

RESOLUTION#: 13.63

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**ADJOURNMENT:**

Mr. Brown 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  
October 8, 2013

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Chair

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Secretary

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Lee Margraf