



# Butler County Planning Commission

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Government Services Center, Conference Room #1  
315 High Street, Hamilton, Ohio

## Meeting Minutes

**MEETING:** Thursday, May 12, 2022, 3:00 p.m.

### **ROLL CALL:**

**Present:** Bruce Jones, *Chair*  
Bernard “Buck” Rumpke, *Vice-Chair*  
Jeff Griffith  
Kevin Cooney  
Lonnie Lewis

**Absent:** Beth Surber  
Amy Updike

**Staff Present:** Peter Z. Acuff, Dept. of Development  
Marcia Rosado, Administrative Secretary

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Mr. Jones called meeting to order with roll call at 3:00 p.m.

### **APPROVAL OF MEETING MINUTES**

Mr. Cooney made a motion to approve the April 12, 2022 Meeting Minutes. Mr. Rumpke seconded the motion. Motion carried 4-0-1.

**AYES:** Cooney, Rumpke, Lewis, Jones

**NAYES:** None

**ABSTAIN:** Griffith

### **ZONE CHANGES**

**LTZ 22-04, PetSuites, R-1 to B-PUD**

*Liberty Township*

Mr. Acuff stated that this was tabled last month at the request of the applicant and is the property at Princeton Road and SR 747 where the water tower is, and they are asking for a small expansion of the B-PUD north to add a kennel. Mr. Acuff stated

that the land use plan calls for Neighborhood Business District. He further stated that the property was initially proposed as a self-storage facility and now asking for expansion of B-PUD and a text amendment to allow the kennel.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

**Applicant:**

Etta Reed, Bayer Becker  
6900 Tylersville Road  
Mason, Ohio 45040

Ms. Reed stated that she is representing D & M Development, the property owner and PS Liberty LLC, the developer for PetSuites. She further stated that they are swapping out the proposed flex space office/warehouse that was originally approved to put in a PetSuites kennel. Ms. Reed stated that there will be a 50' buffer between the kennel and residential properties and the animals will be fenced in with 6' vinyl fencing. She further stated that the animals will not be out past 8 PM.

Tony Giuffre  
The Schueler Group  
3000G Henkel Dr  
Lebanon, OH 45036

Mr. Giuffre stated that he works with the developer for PetSuites and can answer any questions.

**Questions**

Mr. Rumpke asked how many animals will be allowed in the kennel. Mr. Giuffre stated that they anticipate 60-80 per day, but they are never outside without someone with them, and if a dog is barking it will be taken inside.

Mr. Jones asked if multiple dogs are out at the same time. Mr. Giuffre stated that there are multiple play yards and 10-20 dogs are out at a time depending on capacity.

Mr. Griffith asked how long they are outside. Mr. Giuffre stated that they are typically out 15-30 minutes depending on the weather.

Mr. Rumpke asked if there are any other types of animals besides dogs. Mr. Giuffre stated that they do have a cat boarding in their own room and they are not outside at all.

Mr. Rumpke asked if it was daycare and boarding or just boarding. Mr. Giuffre stated that it is daycare and a boarding facility. Mr. Rumpke asked how many are boarded at a time. Mr. Giuffre stated that they can board 15-20 at a time with the busiest times for boarding being the weekends.

Mr. Jones asked how they respond to complaints from neighbors. Mr. Giuffre stated that he is not aware of many complaints as the background noise is usually louder than barking dogs, and the fence keeps them from seeing out and most times they

are barking at each other and can be reacted to immediately. He further stated that if there is a complaint it will be handled accordingly.

Mr. Jones asked about the fence. Mr. Giuffre stated that they like to have a 7' fence but the township only allows 6' fence so it will be a 6' vinyl fence to obstruct view so the dogs will not be able to see. He further stated that they try to situate the building so the dog runs will not face the fence away from the residents but he believes it has a big enough buffer that it would be hard to hear any barking. Mr. Jones asked what type of fence it will be. Mr. Giuffre stated that it will be a vinyl fence and there is also an exterior fence that has already been installed that goes along the property line.

Mr. Lewis made a motion to approve **LTZ 22-04, PetSuites, R-1 to B-PUD**, subject to staff comments. Mr. Cooney seconded. Motion carried 5-0.

Mr. Jones stated that this would be best served at the township level. Mr. Rumpke concurred that especially since the township needs to amend to allow for the kennel.

**AYES:** Lewis, Cooney, Rumpke, Griffith, Jones

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.28**

**RZC 22-01, 4110 Millville Oxford Road, A-1 to B-2**  
*Oxford Township*

Mr. Acuff stated that this is a request for zone change from A-1 to B-2 on two properties just southeast of Oxford City to prepare for potential commercial development as there is no identified user presently. He further stated it is two parcels on 1.4 acres in Oxford Township and surrounding properties are a mix of residential and commercial uses including single family houses, multi-family residential, a gas station/convenience store and an under construction medical office. Mr. Acuff stated that the City of Oxford surrounding this area is designated as an Economic Expansion area.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

**Questions**

Mr. Jones asked about the history of annexing by the city with the exception of this property. Mr. Acuff stated that he is not familiar but expects that as the city has grown they annex property to connect to the city water and sewer.

**Applicant:**

Scott Webb, Architect representing 4 Leaf Rentals LLC, owner of the property  
W. Walnut St  
Oxford, OH 45053

Mr. Webb stated that he would like to answer the question about annexation. He further stated that South Pointe is a prime example of annexation, it was 175 acres that was developed in the county and when it came time to connect to Oxford utilities they had to sign an affidavit that they would not oppose to annexation of the property. Mr. Webb stated that Oxford does not annex on their own behalf they tend to annex after the fact.

Mr. Webb stated that these were previously residential use and the houses sat vacant and were eventually torn down and the septic systems were filled as was the standard, but will now need to be removed and is not a problem at all.

Mr. Webb stated that this property is surrounded by multi-family residential and commercial with a health center being built across the street and believes this would not be suitable for residential use but would be ideal for commercial use. He further stated Oxford comprehensive plan calls for an Economic Expansion area, and he and the developer were involved in the gas station/convenience store development a few months ago and that is what the City of Oxford was imagining in this corridor.

Mr. Webb stated that they are aware that they will need to deal with ODOT for access to this parcel but have not identified a user yet and with regard to the environmentally sensitive area they don't expect there to be basements with a commercial property and plan to leave the trees along the property line against the residential development as they are acting as a buffer.

**Questions**

Mr. Rumpke asked if when they developed the gas station property if they allowed for connectivity to enter these two lots because they enter/exit at a light. Mr. Webb stated that as it is designed they made the entry as far away from the intersection as possible and it would be a perfect opportunity to do a shared entrance if ODOT wants. He further stated that there is no left turn into the gas station they have to go left at the light to enter. Mr. Rumpke asked if it was in the plan. Mr. Webb stated it is not in the plan as they did not have this property three years ago when they started the development for the gas station but it is designed to allow for the shared access.

Mr. Rumpke made a motion to approve **RZC 22-01, 4110 Millville Oxford Road, A-1 to B-2**, subject to staff comments. Mr. Lewis seconded. Motion carried 5-0.

**AYES:** Rumpke, Lewis, Cooney, Griffith, Jones

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.29**

**WCTZ 22-03, Mike’s CarWash, Major Change to C-PUD**  
*West Chester Township*

Mr. Acuff stated that this parcel is on Veteran’s Blvd north of Liberty Way, it is the parcel north of the zone change proposals heard last year for Thornton’s gas station. He further stated that this parcel in the original approved PUD envisioned a hotel on this site but as there are many hotels in the area the applicant is asking to change the use to a car wash which is why there needs to be a major change to the PUD.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

**Questions**

Mr. Rumpke asked why there is a need for a Major Change. Mr. Acuff stated that the C-PUD was originally approved with a hotel on that site, so the change of use from a hotel to a car wash requires a Major Change, it is the same zoning just a major change of use.

**Applicant:**

Ty Dubai  
1154 Thistle Ln  
Lebanon, OH 45036

Mr. Dubai stated that he is the chief operating officer for Mike’s CarWash and that they are really excited about this property to develop as they already have 4 stores in Butler County with 2 in West Chester. He further states that Mike’s CarWash started in 1948 and is a second-generation family owned business. Mr. Dubai stated that they are in agreement with the staff comments but asked for lighting at night as they are 400’ away from homes, they would like to just keep lights on at a dimmed state for safety and security.

Mr. Lewis made a motion to approve **WCTZ 22-03, Mike’s CarWash, Major Change to C-PUD**, subject to staff comments. Mr. Griffith seconded. Motion carried 5-0.

**AYES:** Lewis, Griffith, Cooney, Rumpke, Jones

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.30**

## SUBDIVISION FINAL PLAT

### Westfall Preserve, Section Four *West Chester Township*

Mr. Acuff stated that this subdivision is 22 new residential lots on 47 acres with a large open space lot that is an extension of Westfall Lane and the next to last section of the Westfall Preserve subdivision.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

#### Questions

Mr. Rumpke asked if the large open space lot is floodplain. Mr. Acuff stated that it is floodplain and floodway.

Mr. Jones made a motion to approve the final plat for **Westfall Preserve, Section Four** subject to staff comments. Mr. Cooney seconded. Motion carries 5-0.

**AYES:** Jones, Cooney, Griffith, Lewis, Rumpke

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.31**

## SUBDIVISION REPLATS

### Gano, Replat of Lot 50 *West Chester Township*

Mr. Acuff stated this is a single lot that is right against the Hamilton County line to the south. He further stated that the owner is looking to split the lot into two to build a new house.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

Mr. Jones made a motion to approve **Gano, Replat of Lot 50**, subject to staff comments. Mr. Rumpke seconded. Motion carries 5-0.

**AYES:** Jones, Rumpke, Lewis, Cooney, Griffith

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.32**

**TriHealth Liberty Campus, Replat of Lots 3 & 4**  
*West Chester Township*

Mr. Acuff stated this is also on Veteran's Blvd where we just looked at Mike's CarWash and the replat is to shift the lot line to the north to make the southern lot larger. He further stated that there has been no user identified.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

Mr. Rumpke asked if the detention basin is on Mike's CarWash property and if so who maintains. Mr. Acuff stated he did not know if it is the property owner association or the owner of the lot. Mr. Dubay stated that Mike's will maintain and share the cost with Lot 6. Mr. Rumpke asked if there would be an agreement between the lot owners to maintain. Mr. Dubay stated that it would.

Mr. Lewis made a motion to approve **TriHealth Liberty Campus, Replat of Lots 3 & 4**, subject to staff comments. Mr. Rumpke seconded. Motion carries 5-0.

**AYES:** Lewis, Rumpke, Cooney, Jones, Griffith

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.33**

**Morris Subdivision #1, Replat of Lots 2 & 3**  
*Madison Township*

Mr. Acuff stated this is on Kalbfleisch Road and the applicant would like to combine two lots into one .91 acre lot.

Mr. Acuff reviewed staff comments and recommends approval subject to those comments.

**Questions**

Mr. Rumpke asked if the requester is the property owner. Mr. Acuff stated that the applicant owns both properties, it would just be a consolidation.

Mr. Jones made a motion to approve **Morris Subdivision #1, Replat of Lots 2 & 3**, subject to staff comments. Mr. Rumpke seconded. Motion carries 5-0.

**AYES:** Jones, Rumpke, Lewis, Cooney, Griffith

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.34**

## ZONE CHANGES

### RSTZ 22-00, Ross Township Zoning Resolution

Mr. Acuff stated that he received a request from the Ross Township Zoning Commission that held a meeting on April 28, 2022 to propose a new zoning resolution for Ross Township. He further stated that Ross Township is looking to separate themselves from the county zoning resolution and adopt their own in the same way that Fairfield, Liberty and West Chester have done.

Mr. Acuff reviewed staff comments.

#### **Applicant:**

Wendy Moeller, Compass Point Planning  
6540 Corporate Park Drive  
Cincinnati, OH 45242

Ms. Moeller stated that she is a consultant to Ross Township and she feels they have addressed all the staff comments and have incorporated them into the resolution. Ms. Moeller stated that in 2020 the Ross Township residents petitioned the township trustees to initiate the process of taking on their own township zoning. She further stated they appointed a zoning commission and hired her to help. Ms. Moeller stated that they set up a website “Envision Ross” to create a draft zoning resolution and to update the land use plan. She further stated that they have updated the land use plan but are waiting for the vote to see if the zoning is approved before they proceed. Ms. Moeller stated that they took the Butler County Zoning Resolution and used it as the base for their resolution. Ms. Moeller stated that they added an overlay district, Venice Overlay District, which is designed to tailor zoning to the business “downtown” area of Ross Township. She stated that they added some simple architectural standards that would apply to commercial development and multi-family residential development. Ms. Moeller stated they went through the uses and made some alterations with certain standards. She further stated they tried as much as they could to keep densities and intensities in the districts that the county has now. Ms. Moeller stated that they are seeking a recommendation of approval from the county to move to the next step with the township trustees and if approved would go on the ballot. Ms. Moeller stated that she was fortunate to have received all of the comments prior to the zoning commission meeting on April 28<sup>th</sup> and was able to incorporate them and she feels it is ready to go to the trustees if the board recommends approval.

#### **Questions**

Mr. Lewis asked if they are planning to have their own sewers in the future. Ms. Moeller stated that with the land use plan they maintained the sewer service area



and where there are sewers is where the land use calls for the more intense development and outside of that it will remain agricultural.

**Testimony in favor:**

Greg Young  
3908 Ficus Ct  
Ross Township

Mr. Young stated he was the chairman of the zoning commission that the trustees appointed following the petition from the township voters and stated they have been working for over a year with excellent representation and feels that the resolution is an excellent, up to date document. Mr. Young stated they went out of their way to get public input with website surveys and held an informational meeting. He further stated he feels like they have done their due diligence and worked very hard to allow the public to give input and took into account that input in making decisions. Mr. Young asked that the board approve and allow the voters to make a decision on whether they want township zoning.

**Questions**

Mr. Rumpke stated that if it is approved the township would have costs for zoning inspections and asked if they would all be covered by fees. Mr. Young stated the total cost will not be covered by fees that in checking with the county the fees or fines are about \$18,000 per year which would not be enough. He further stated that they contacted some other townships similar in size to see what those costs might be and decided that they would most likely need a part-time zoning administrator and will probably be some legal fees to account for and software to purchase. He stated that they anticipate it will range between \$50-100 thousand dollars and the township is well aware and a concern and a decision the voters will have to make and has been advertised as well.

Mr. Jones made a motion to approve of **RSTZ 22-00, Ross Township Zoning Resolution**, subject to staff comments. Mr. Griffith seconded. Motion carries 5-0.

**AYES:** Jones, Griffith, Lewis, Rumpke, Cooney

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** **22.35**

## ADJOURNMENT

Mr. Jones made a motion to adjourn, seconded by Mr. Lewis. Motion carries 5-0.  
Meeting adjourned 4:05 PM.

**AYES:** Jones, Lewis, Cooney, Griffith, Rumpke

**NAYES:** None

**ABSTAIN:** None

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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 and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio  
May 12, 2022

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Chair

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Secretary