



# Butler County Planning Commission

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

## Meeting Minutes

**MEETING:** Tuesday, November 15, 2017, 3:00 p.m.

**ROLL CALL:**

**Present:** Beth Surber, Chair  
Kevin Cooney, Vice-Chair  
Bruce Jones  
G. Coe Potter  
Steve Brown

**Absent:** Bernard "Buck" Rumpke  
David Baker

**Staff Present:** Jim Fox, Dept. of Development  
Peter Z. Acuff, Dept. of Development

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Ms. Surber called the meeting to order with roll call at 3:00 p.m.

**APPROVAL OF MEETING MINUTES:**

None

**ZONE CHANGES:**

**WCTZ 17-08 Anthem House, Major Change to R-PUD**

Section 24, Town 3, Range 2

West Chester Township

Mr. Acuff introduced the proposed zone change. Ms. Surber questioned whether an access concern on a previous proposal was still a concern. Mr. Acuff responded that the access driveway that was previously a concern had been moved and was no longer a concern. Mr. Acuff went on to establish that there were no tree lines on the front of the property, but that the

tree line on the rear of the property was to be maintained. Mr. Acuff also stated that the mounding could pose a problem in that it cannot be allowed to cut off the storm drainage.

Applicant, William Brock, 5065 Lakota Woods Drive, Liberty Township, OH 45044, was present at the meeting, and came forward to say that the berming issue would be addressed and that he understood the need to keep the natural buffer. Mr. Brock stated that he had no issue with meeting the requirements set forth by the board.

*No Testimony in Favor*

*No Testimony in opposition*

*No Neutral testimony*

Motion was made to approve **WCTZ 17-08** by Mr. Brown; motion was seconded by Mr. Potter.

Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.66

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**WCTZ 17-09 Hearth- Stone Senior Living, A-1 to R-PUD**

Section 23, Town 3, Range 2

West Chester Township

Mr. Acuff introduced this proposed zone change as a single-story residential facility for seniors located along Cincinnati-Dayton Road with access to the facility on Cincinnati-Dayton Road.

Mr. Acuff began to review the staff comments. He explained that the Township Comprehensive Plan calls for a density of 5 units per acre. These proposed plans are over that density limit, being 5.7-5.8 units per acre. Mr. Acuff stated that the Township commented that provided that the residential facility is limited to senior residents ONLY, the higher density may not be a problem, due to the fact that senior resident housing units tend to be smaller.

Mr. Acuff explained that the Township Comprehensive Plan also calls for consolidated access points along Cincinnati-Dayton Road. The Engineers office is evaluating whether consolidation of the driveways is feasible at this location.

Mr. Acuff went on to point out that there was no visitor parking shown on the plans, and that it was unknown if any is proposed. If so, it should be included on the development plan. It was also recommended that landscape screening at the west end of the turn-around was necessary to protect the westward neighbors, to which the new residential facility backs up to.

Mr. Acuff pointed out that it was not specified whether trash service would be divided by individual homes or if it would be centralized at one collection point. If it will be centralized, Mr. Acuff stated that there should be a location for the dumpsters visualized in the plan.

Mr. Acuff informed the board that the water main on Cincinnati-Dayton Road was not depicted in the correct location on the plan, and that the actual location was on the other side of Cincinnati-Dayton Road. The water main would need to be looped for any developments over 26 units, which the proposed facility was included.

Mr. Acuff also shared that the right of way needed to be dedicated and that it must comply with the OEPA storm water discharge permit. Also addressed by Mr. Acuff was the storm water grading. The street with 12 units, which is the front street, will not route flood water as depicted, which requires the grading to be given another look. The Engineers office has specific requirements for the curbs, gutters, and catch basins that are to be used. The Engineers office also wants to see the intersection detailed for Cincinnati-Dayton Road and the proposed street coming down the hill.

Mr. Acuff referenced Drive A, indicating that it showed a culvert that will expose a shallow sanitary sewer main. He stated that this needed to be looked at under the driveway. He then referenced Drive C and the retaining wall planned for it. Mr. Acuff specified that detail information was needed for the retaining wall itself, and that evaluation details would be needed for the drive's transition onto the roadway accounting for the slope. Mr. Acuff pointed out that this might also pose a downstream restriction that may result in storm water runoff entering Cincinnati-Dayton Road. The Engineers office strongly recommends that the applicant and the adjacent property owner discuss how to resolve or remove the undersized storm pipe.

At this time, Mr. Acuff stated that the staff recommended for West Chester Township to approve the zone change from A1 to R-PUD, conditioned on the staff comments and the resolutions being completed on the final plan.

Ms. Surber then questioned if the age restriction would require a deed restriction. Mr. Acuff informed that the township would be asking for a document stating that the residential facility would be limited to seniors only. It was then specified that each unit would be approximately 1700 square feet.

Applicant, Bob Hutsenpillar, 7404 Liberty One Way, Liberty Township, OH 45044, was present at the meeting and began his own presentation at this time.

Mr. Hutsenpillar stated his position as President of Hutsenpillar Contractors. He stated that each unit would be either one (1) bedroom with an office, or two (2) bedrooms, with level entrances and direct access from the garage. Each unit would have its own two (2) car garage. There would be a total of 39 units on the 6.73 acre space. Mr. Hutsenpillar stated that the existing structures on the property would be demolished and that tree lines would be maintained. He stated that the closest property line encroachment is approximately 45 feet. He stated that he is comfortable with staff recommendations on tree preservation, and that he would be handling all external maintenance. To ensure the age restriction is handled properly and legally, Mr. Hutsenpillar has hired an attorney. He informed the board that he will be developer, builder and owner of the property. He ended his presentation by explaining that and R-PUD is required to have 20% green space, and that his project has 51% green space.

*No Testimony in favor of*

*No Testimony in opposition*

*No Neutral Comments*

Motion was made to approve **WCTZ 17-09** per staff comments by Mr. Cooney; motion was seconded by Mr. Brown. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.67

**PRELIMINARY PLATS:** None

## **FINAL PLATS**

### **Venice Gardens, Replat of Lots 453 & 454**

Sections 34, Town 3, Range 2

Ross Township

Mr. Acuff introduced a final replat for the combination of two (2) lots into one (1), located in Ross Township. The lots are both currently owned by Habitat for Humanity. Mr. Acuff stated that the purpose of conjoining the lots would be to construct a new house on the large property.

Mr. Acuff then began to review the staff comments. He began with pointing out that basic notes were needed on the plat, for example utilities, water and sewer. The Health Department Review fee needed to be paid for the re-plat also. However, Mr. Acuff informed the board that subject to

the adding of the prior mentioned notes, staff does recommend the approval of the re-platted lots.

**No comments**

Ms. Surber made the motion to approve **Venice Gardens, Replat of Lots 453 & 454**, seconded by, Mr. Jones. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.68

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**Venice Crossing, Replat of Lot 1**

Section 28, Town 3, Range 2

Ross Township

Mr. Acuff began by showing an aerial map of a large lot off Layhigh Road with a private lane and drive running through it. He indicated on the map a spot where a proposed section of land was to be cut out and divided into 4 residential sections. Mr. Acuff informed the board that the proposed plans were consistent with the prior-approved PUD plan.

Mr. Acuff had only a few staff comments, first being that a section line on sheet 2 needed to be labeled. In addition to that, the Health Department Review fee needed to be paid. Subject to those comments, Mr. Acuff stated that staff recommends approval on the Replat of Lot 1.

**No comments**

Mr. Cooney made the motion to approve **Venice Crossing, Replat of Lot 1**, seconded by Mr. Brown. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.69

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**Kyles Station Subdivision, Replat of Lots 2, 4, & 6**

Section 10, Town 2, Range 3

Liberty Township

Mr. Acuff began by informing the board that these lots were located at the site of the new Kroger in Liberty Township.

Mr. Acuff reviewed staff comments that needed to be addressed prior to recording. The maintenance of the easements approached on Lots 12 and 13 either on the Plat or by the updated REA would need to be defined. Lot 12 should not utilize the existing easement. The REA should be updated to account for additional lots and maintenance storm water facilities. Details regarding the widening of Kyle's Station Road need to be finalized prior to recording, and the Health Department Review fee needs to be paid. Subject to those comments, Mr. Acuff informed the board of staff's recommendation for approval.

**No comments**

Mr. Brown made a motion to approve **Kyles Station Subdivision, Replat of Lots 2, 4, & 6**  
Mr. Jones Seconded the motion. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber  
**NAYES:** None  
**ABSTAIN:** None

**RESOLUTION#:** 17.70

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**Helen Heights, Replat of Lots 7 & 8 and 0.4821 Acres**

Section 13, Town 3, Range 3  
Liberty Township

Mr. Acuff introduced the replat first by identifying its location, being in the Bethany area northwest of the high school. He stated that the purpose of the replat was to consolidate 3 lots into 1 for the intention of building a Dairy Queen on the larger property.

Mr. Acuff began reviewing staff comments. A detention basin into a private drainage needs to be added. The access restriction on Cincinnati-Dayton Road must be noted. The Commissioner Signature block must be revised. The total square footage of the lot needs noted. The items labeled parking easements should be labeled parking setbacks. The owners name needs to be corrected to match the Auditor's records exactly. The auditor needs the acreage breakdown to be exact. There also needs to be a standard note added on the connection of the sewer systems. A note regarding the regulations of the Board of Health must be added and the Health Department Review fee is due. The last staff comment is that at least 1 of the existing residences must be removed prior to recording the consolidation of the plats.

Mr. Acuff said that subject to staff comments, the staff recommends approval of the replat.

**No comments**

Ms. Surber made a motion to approve **Helen Heights, Replat of Lots 7 & 8 and 0.4821 Acres**  
Mr. Potter seconded the motion. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN** None

**RESOLUTION#:** 17.71

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**Liberty Center, Replat of Part Lot 8 and Part Lot 23**

Section 13, Town 3, Range 3

Liberty Township

Mr. Acuff introduced the replat of lot 8 and part of lot 23. He indicated that the intention was to carve out 2 pieces of a corner lot at Liberty Center to combine for an indoor skydiving facility.

There were some staff comments, which Mr. Acuff reviewed with the board. He stated that the owner's name must match exactly with the Auditor's records. It needs to be specified on the plat how sewer services will be provided to the new lot. Whether an access easement up from Liberty Way will be added needs addressed. Basic notes regarding utilities and water and sewer must be added. The Health Department Review fee must also be paid. Mr. Acuff then stated that subject to those comments, staff recommends approval.

**No comments**

Mr. Cooney made a motion to approve **Liberty Center, Replat of Part Lot 8 and Part Lot 23**  
Mr. Brown Seconded the motion. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber

**NAYES:** None

**ABSTAIN:** None

**RESOLUTION#:** 17.72

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## **OTHER BUSINESS**

### **Appoint David Fehr to OKI Board of Directors for 2018**

Mr. Potter made a motion to approve the appointment of David Fehr to the OKI Board of Directors for 2018. Mr. Jones Seconded the motion. Motion carried 5-0.

**AYES:** Potter, Jones, Cooney, Brown, Surber  
**NAYES:** None  
**ABSTAIN:** None

**RESOLUTION#:** 17.73

## **ADJOURNMENT**

Ms. Surber made a motion to adjourn seconded by Mr. Brown. 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 and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio

November 15, 2017

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Chair

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Secretary