



Butler County Planning Commission

Butler County Government Services Center
First Floor Conference Room
315 High Street, Hamilton, Ohio 45011

Meeting Minutes

MEETING: Friday, October 14, 2022, 3:00 p.m.

ROLL CALL:

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

Absent: Amy Updike

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

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

APPROVAL OF MEETING MINUTES

Mr. Jones made a motion to approve the September 13, 2022 Meeting Minutes. Mr. Lewis seconded the motion. Motion carries 4-0-2.

AYES: Jones, Lewis, Rumpke, Griffith

NAYES: None

ABSTAIN: Cooney, Surber

Mr. Jones made a motion to move the agenda item RZC-22-03, Mike Dawson to the third agenda item, seconded by Mr. Griffith. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

ZONE CHANGE

MTZ 22-01, Township Zoning Resolution Text Amendments

Morgan Township

Mr. Acuff stated that these are proposed text amendments are minor revisions that include language about temporary signs and to move lighting responsibilities from the trustees to the zoning commission.

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

Applicant:

Dale Marshall
2289 Chapel Rd
Okeana, OH 45053

Mr. Marshall stated that these amendments are to tighten rules a bit about temporary signs and outdoor lighting issues are going to be moved from the trustees to the zoning commission.

Mr. Griffith made a motion to recommend approval of **MTZ-22-01, Township Zoning Resolution Text Amendments** subject to staff comments, second by Mr. Cooney. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 22.59

RTZ 22-01 Elbert & Angela Gray, B-2 to R-2

Reily Township

Mr. Acuff stated that this is a single parcel with a single structure currently zoned commercial. He further stated this proposed change is to reflect the current use.

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

Applicant:

Emerson Adkins, Reily Township Zoning Commission

Mr. Adkins stated that the property has been a residence for close to 20 years and this zone change is to keep it from becoming a commercial property.

Mr. Jones made a motion to approve RTZ 22-01, subject to staff comments, seconded by Mr. Cooney. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 22.60

RZC 22-03 Mike Dawson, M-1 to R-1

Madison Township

Mr. Acuff stated that this is a portion of a single parcel in Poasttown, north of Middletown in Madison Township. Mr. Acuff stated that the primary reason for the zone change is to build houses which is not a permitted use in M-1. He further stated that there are already two houses may have grandfathered, and it does not follow the land use plan but has others in close proximity. Mr. Acuff stated while it does not match the land use plan it does match the residential uses in the area. Mr. Acuff stated that there is approximately 580 acres that are planned for industrial use and over 300 acres are still undeveloped and with approval only 3% of the industrial zone would be affected.

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

Questions/Comments:

Ms. Surber asked what is proposed in the residential use. Mr. Acuff stated it was detached homes. Ms. Surber asked if it was going to require a lot split since the zone change is for just a portion. Mr. Acuff stated it does.

Applicant:

Josh Liles, PE
APEX Engineering & Surveying
1068 N University Blvd
Middletown, Ohio 45042

Mr. Liles stated that they would like to address some of the comments. He stated that the lot split is in final stages of being approved and sight distance has already been looked into and from the study are proposing a sight easement from the last residential lot on the corner to alleviate sight distance issues. Mr. Liles stated that because this is a groundwater protection area a residential use is probably better than a commercial use of the property. Mr. Liles stated that they have done some preliminary soil samples and this will be on septic so should be no issues for 8-9 lots.

Mr. Lewis made a motion to approve **RZC 22-03 Mike Dawson, M-1 to R-1**, subject to staff comments. Second by Mr. Rumpke. Motion carries 5-1-0.

AYES: Lewis, Rumpke, Lewis, Griffith, Jones

NAYES: Surber

ABSTAIN: None

RESOLUTION#: 22.61

LTZ 22-05 Shetland Farm, R-RE to R-PUD

Liberty Township

Mr. Acuff stated that this parcel is on the east side of Liberty Fairfield Road, just under 25 acres that was previously a horse farm and stables and is surrounded by residential on three sides, and the use to the south is a union hall. Mr. Acuff stated that the township land use plan calls for moderate density residential. He further stated that the PUD plan calls for 71 lots with a main entrance off Liberty Fairfield Road and connections to the existing subdivisions.

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

Questions/Comments:

Mr. Rumpke asked what the size of the lots are. Mr. Acuff stated that it is 50' lots. 2.88 lots per acre. Mr. Rumpke asked if all the houses will be on individual lots. Mr. Acuff responded yes. Mr. Rumpke asked if there was someone for the township could explain what moderate density means.

Tom McIntyre, Liberty Township
5021 Winners Circle Drive
Hamilton, Ohio 45011

Mr. McIntyre stated that the comprehensive plan states that in moderate density residential densities should not exceed 2.25 dwelling units per acre and that the minimum lot should not be less than 15,000 square feet. He further stated that higher densities could be allowed if it is located appropriately and satisfies the open space requirement and provides an amenity. Mr. McIntyre stated that this does provide for the open space and has a dog park, walking paths and a gazebo as amenities.

Questions/Comments:

Mr. Rumpke asked if the plans call for a buffer from the other subdivisions. Mr. McIntyre stated that single family to single family does not currently call for buffering however with increased density staff has asked for a buffer on the north side like is proposed on the east side which calls for one tree per every 40' on center and on the south side there is an existing treeline and it shows a buffer around the retention ponds.

Mr. Rumpke asked what the open space requirement is. Mr. McIntyre stated that required space is 20% and they are providing 30%.

Applicant:

Josh Rexhausen
McGill Smith Punshon
3700 Park 42 Drive
Cincinnati, Ohio 45241

Mr. Rexhausen stated that he is here to answer questions but feels most of it has been covered.

Questions/Comments:

Mr. Jones asked if he had any response to the observation that it exceeds density. Mr. Rexhausen stated that he understands that there are a lot of people who want a big lot, but there is also some that want smaller lots and less maintenance but have open space nearby to use.

Mr. Rumpke stated that the request is to put these lots in Liberty Township where we know that they want the lots to be 2.25 per acre not 2.88 per acre, it is not that you cannot find buyers for it, but the key is that Liberty Township does not want them.

Mr. Rumpke made a motion to recommend denial of **LTZ 22-05 Shetland Farm, R-RE to R-PUD**, seconded by Mr. Jones. Motion carries 3-2-1.

AYES: Rumpke, Jones, Griffith

NAYES: Surber, Lewis

ABSTAIN: Cooney

RESOLUTION#: 22.62

RZC 22-02 Rural Zoning Resolution Text Amendments

Mr. Acuff stated that this is a package of amendments that have been in the works since 2017. He further stated that these amendments address a number of issues in the Rural Zoning Resolution and if more detail is needed there will be a hearing on Monday, October 17, 2022. Mr. Acuff stated the major changes are increasing the maximum size and setbacks of an accessory building in residential districts, allowing recreational vehicle parking in side yards, permit the keeping of small farm animals, swimming pool regulations to include above ground pools, increasing the minimum sidewalk size from 4 feet to 5 feet wide, increase the front yard parking in B-2 and B-3 districts, increase the size of ground signs, changes to allow installation of small scale solar.

Questions/Comments:

Ms. Surber asked with the addition of solar did it also address turbine. Mr. Acuff stated that does not address wind, no one has asked about wind.

Mr. Jones stated that the need to address solar is apparent.

Mr. Rumpke asked if this would allow people to sell solar power. Mr. Acuff stated that they would be able to sell back excess power generated but the intent of this is to allow to generate solar power primarily for onsite use.

Mr. Rumpke asked if a permit is required to install solar. Mr. Acuff stated that it would require a building permit.

Mr. Jones stated that he appreciates that on the first page it states that analysis would reduce the variance cases by 50%. Mr. Acuff stated that a lot of the cases that come thorough the Board of Zoning Appeals are for variances for accessory buildings. Mr. Jones stated that if the amendments are to reduce the number of appeals are we getting an uglier Butler County. Mr. Acuff stated that there is a balance to be struck, but not necessarily uglier and these would be in the rural townships. Mr. Griffith stated that it is normally for pole barns and they hardly ever get denied.

Applicant:

Mr. Acuff stated that these amendments were initiated by the Rural Zoning Committee last month, it then comes to the Planning Commission for recommendation for approval, then to a hearing on Monday for approval recommendation and finally to the County Commissioners for final recommendation and approval.

Mr. Cooney made a motion to recommend approval of **RZC 22-02 Rural Zoning Resolution Text Amendments**, second by Mr. Lewis. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.63**

PRELIMINARY PLAT RENEWAL

Hidden Falls

Section 5, Town 3, Range 1, Morgan Township

Mr. Acuff stated that this was approved in 2017 for 6 residential lots on over 27 acres on a single parcel off Weaver Road in Morgan Township. Mr. Acuff stated that one house has been constructed on Lot 3. He further stated that preliminary plats are good for five years so the applicant is asking for an extension to come in with final plats.

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

Questions/Comments:

Mr. Rumpke asked if there is water on Weaver Road. Mr. Griffith stated that there is water but no fire hydrants but they installed a strainer on the pond and provided attachments for the fire department to use.

Mr. Lewis made a motion to recommend approval of the renewal of **Hidden Falls**, Subject to staff comments. Second by Mr. Rumpke. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.64**

SUBDIVISION FINAL PLAT

Caravel, Section 1

Section 22, Town 3, Range 3, Liberty Township

Mr. Acuff stated that this is the final plat for 36 residential lots on 27.7 acres at Kyles Station and Yankee that was previously submitted as a preliminary plat called Kyles Park.

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

Questions/Comments:

Mr. Cooney asked if a ditch, creek or water feature to the north is why there is no stub. Mr. Acuff stated it was a creek drainage but not a blue line stream that drains the areas to the east.

Mr. Cooney asked if the parcel above is a part of this plat. Mr. Acuff stated that it is not but will probably be Section 2 with no road crossing.

Mr. Jones made a motion to approve the final plat for **Caravel, Section 1** subject to staff comments. Mr. Griffith seconded. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.65**

Timber Trails, Section One, Block C
Section 16, Town 2, Range 3 Fairfield Township

Mr. Acuff stated this is 33 lots on 15 acres on the west side of Liberty Fairfield Road with a large open space to the north and a stub to Scenic Trail Drive.

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

Mr. Rumpke made a motion to approve **Timber Trails, Section One, Block C**, subject to staff comments. Mr. Lewis seconded. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.66**

SUBDIVISION REPLAT

Village of Princeton, Replat of Lot 46 +0.796 acres
Section 2, Town 2, Range 3, Liberty Township

Mr. Acuff stated that this is at the water tower development at SR 747 and Princeton Road and there was an amendment to the PUD to allow a kennel and this replat is to combine lots plus the extra acreage not in the PUD for PetSuites.

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

Ms. Surber made a motion to approve **Village of Princeton, Replat of Lot 46 +0.796 acres**, subject to staff comments. Mr. Lewis seconded. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.67**

Mauds, Replat of Lots 13, 15 & 17

Section 23, Town 3, Range 2 West Chester Township

Mr. Acuff stated that this is a combination of three lots to a single lot on Second Street just off Tylersville Road in West Chester Township.

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

Questions/Comments:

Mr. Rumpke asked if these are small lots with just one house. Mr. Acuff stated that there is a house and a garage but mostly vacant.

Mr. Jones made a motion to approve **Mauds, Replat of Lots 13, 15 & 17**, subject to staff comments. Mr. Griffith seconded. Motion carries 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **22.68**

The Oaks at Wetherington, Replat of Lot 6

Section 18, Town 3, Range 2 Liberty Township

Mr. Acuff stated that this is a single lot in The Oaks at Wetherington in front of Cabela's and across from Liberty Center currently being used as a day care center. There was some dispute about the setback on Preserve Place and in an old plat there was a setback that was wider than it needed to be so the purpose of the replat is to redefine the setback to what was approved by the township.

Mr. Acuff stated that staff has no comments and recommends approval.

Mr. Rumpke made a motion to approve The Oaks at Wetherington, Replat of Lot 6. Ms. Surber seconded. Motion carries 5-0-1.

AYES: Rumpke, Surber Griffith, Lewis, Jones

NAYES: None

ABSTAIN: Cooney

RESOLUTION#: **22.69**

Mr. Jones stated that the next meeting date is Election Day and may need to be rescheduled. Mr. Acuff recommended that it is rescheduled in the same week. Mr. Jones stated that the November meeting will be rescheduled for Wednesday November 9th at 3 PM.

ADJOURNMENT

Mr. Jones made a motion to adjourn, seconded by Mr. Rumpke. Motion carries 6-0.
Meeting adjourned 4:40 PM.

AYES: Jones, Rumpke, Lewis, Updike, Griffith

NAYES: None

ABSTAIN: None

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
October 14, 2022

Chair

Secretary