



Butler County Planning Commission

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

Meeting Minutes

MEETING: Tuesday, October 8, 2019, 3:00 p.m.

ROLL CALL:

Present: Bruce Jones, *Chair*
Bernard “Buck” Rumpke, *Vice-Chair*
Amy Updike
Steven Brown
Kevin Cooney
Lonnie Lewis

Absent: Dave Baker
Beth Surber

Staff Present: Peter Z. Acuff, Dept. of Development
Stephanie Foley, Administrative Secretary

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

APPROVAL OF MEETING MINUTES

Mr. Brown made a motion to approve the September Meeting Minutes as submitted. Mr. Rumpke seconded the motion. Motion carried 5-0.

AYES: Brown, Rumpke, Updike, Lewis, Cooney, Jones

NAYES: None

ABSTAIN: None

ZONE CHANGES

RZC 19-07 Brad Eggers, A-1 to B-2

2721 Ross Millville Road

Section 22, Town 3, Range 2

Ross Township

Mr. Acuff introduced this as two parcels in Ross Township off Ross Millville Road. The total land is approximately 30 acres, but the request is for only two acres towards the front of the property. The intent of the zone change is to construct a garage for overnight parking of work vehicles. The applicant owns a small tree service company. There are a total of four employees and four trucks. The trucks would be housed in the structure on the property, but no business operations would take place from the property.

The current zoning is agricultural and the land use calls for the area to be low density residential. Mr. Acuff did not that just up the road, the land use plan called for a B-2 zoning district. There are single-family residences on either side of the property in question.

Mr. Acuff reviewed staff comments with the board and recommended denial per those comments.

Ms. Updike asked how the township trustees felt about this request. Mr. Acuff stated that he spoke with the township administrator, who told him that all three trustees were opposed, but he had not spoken directly with any trustees.

Mr. Jones asked if the residents to the north and south were in favor or not. Mr. Acuff stated that he had spoken with one of the neighbors, who was opposed.

Testimony in favor: Brad Eggers, 7284 Red Ridge Drive, and Heather Wendling (same address), addressed the board as applicants. Mr. Eggers stated that he had spoken with the neighbors and explained his plans. He stated that they seemed to have no problem with the use as long as he abided by the rules of the township. He stated that there would be no material stored on the property. The only purpose of the zone change is to allow the work vehicles to be stored on the property. Ms. Wendling stated that there are two locations for the placement of the road, if the zone change were to go through. Mr. Eggers reiterated that the building is a very small business with very little equipment. He stated that the barn would not look any different from any other barn on that road.

Testimony in opposition: None

Neutral testimony: None

Mr. Jones stated that with the current request for a straight zone change, it would mean that were the property to ever be sold, it would open the door to other uses that would not be hospitable to the neighbors.

Mr. Rumpke stated that it is still open for the applicant to go to the township and ask them to respond in a more local manner.

Mr. Cooney stated that he is sympathetic in that if the applicants would have just built the barn, it wouldn't have looked any different. He stated that he thinks it is strange that by following the rules and being up front and honest about the intended use, the applicants are being penalized, whereas the neighbors may or may not have followed the same rules and there's no way to tell from a satellite picture. He also stated that the fact that the proposed land use lines are somewhat arbitrarily drawn and the property in question is just down the street from where it stops is unfortunate.

Mr. Brown commented to the applicant that if they decide to pursue this with the township, he suggests that they have residents go with them, willing to speak in favor of their initiative.

Ms. Updike asked staff if the State of Ohio changed their law to allow a home occupation as long as they aren't having customers come to the property. Mr. Acuff stated he wasn't aware of that, but would be looking into it.

Mr. Rumpke made a motion to deny **RZC 19-07 Brad Eggers, A-1 to B-2**. Mr. Jones seconded this. Motion carries 4-2.

AYES: Rumpke, Jones, Updike, Lewis
NAYES: Cooney, Brown
ABSTAIN: None

RESOLUTION#: 19.00

FTZ 19-05 Georgiana Bryant, R-1 to R-1A

*3566 Hamilton Mason Road
Section 24, Town 2, Range 2
Fairfield Township*

Mr. Acuff introduced this as a request for a single parcel in the Woodbury subdivision in Fairfield Township. The rezoning would allow for smaller lot sizes, and this is the purpose for the requested change.

The proposed land use plan coincides with the request. The intent of the request is to construct a few more homes similar to the ones on the east side of Woodbury Drive.

Mr. Acuff reviewed staff comments and recommended approval per those comments.

Testimony in favor: Etta Reed, Bayer Becker, is representing the applicant. She stated that the Bryants own multiple parcels, including a tiny sliver that is currently part of the Woodbury subdivision. The plan is to subdivide the rear property into approximately five 90-foot wide single-family lots. She stated that the utilities are already in place and that the applicants intend to keep the existing home on the lot. The new lots would be included in the subdivision and the Bryant's have already spoken with the Woodbury HOA.

Testimony in opposition: None

Neutral testimony: None

Mr. Brown made a motion to deny **FTZ 19-05 Georgiana Bryant, R-1 to R-1A**. Mr. Lewis seconded this. Motion carries 6-0.

AYES: Brown, Lewis, Rumpke, Updike, Cooney, Jones

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.00

FINAL PLATS

Venice Crossing, Replat of Lots 39 & 40

Section 28, Town 3, Range 2

Ross Township

Mr. Acuff described this as the northwest corner of the development. There are two lots that are undeveloped. The request is to combine the two lots into a single lot.

Mr. Acuff reviewed staff comments and recommended approval per those comments.

Mr. Lewis made a motion to approve **Venice Crossing, Replat of Lots 39 & 40**. Mr. Cooney seconded this. Motion carries 6-0.

AYES: Lewis, Cooney, Brown, Updike, Rumpke, Jones

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.00

East Ridge, Replat of Lot 27 & 0.265 Acres

*Section 27, Town 2, Range 3
Fairfield Township*

Mr. Acuff described this as a combination that was not included in the original platting. The purpose would be to include 0.265 acres into Lot 27.

Mr. Acuff stated that the revised plat addressed all comments and that staff recommends approval without comment.

Mr. Lewis made a motion to approve **East Ridge, Replat of Lot 27 & 0.265**. Mr. Brown seconded this. Motion carries 6-0.

AYES: Lewis, Brown, Cooney, Updike, Rumpke, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.00

Windsor Estates, Section Eight

*Section 28, Town 3, Range 3
Liberty Township*

Mr. Acuff described this as 45 new lots on 30.28 acres. This is the western portion of an existing farm. There will be two road connections, one to the north and one to the west. Mr. Acuff did state that the HOA will need access to the detention basins in order to maintain them.

Mr. Acuff reviewed staff comments and recommended approval per those comments.

Mr. Brown made a motion to approve **Windsor Estates, Section Eight**. Ms. Updike seconded this. Motion carries 6-0.

AYES: Brown, Updike, Lewis, Cooney, Rumpke, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.00

The Oaks of West Chester, Section Four

Section 22, Town 3, Range 2

West Chester Township

Mr. Acuff described this as 12 new lots on 7.1 acres. He stated that the preliminary plat had recently been renewed, and leaves open space that will later be turned into a clubhouse for the area.

Mr. Acuff reviewed staff comments and recommended approval per those comments.

Mr. Lewis made a motion to approve **The Oaks of West Chester, Sectionb Four**. Mr. Rumpke seconded this. Motion carries 7-0.

AYES: Lewis, Rumpke, Cooney, Brown, Updike, Jones

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.00

ADJOURNMENT

Mr. Jones made a motion to adjourn, seconded by Mr. Lewis. 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

October 8, 2019

Chair

Secretary