

**BUTLER COUNTY  
PLANNING COMMISSION  
Meeting Minutes**



**MEETING:** Tuesday, December 11, 2012; 3:00 p.m.

**ROLL CALL:**

**Present:** Kevin Cooney, Vice-Chair  
Tom Barnes  
Steven Brown  
G. Coe Potter  
Shirley Wiant

**Absent:** Charles Bullington, Chair  
Lynn Nevel

**Staff present:** Peter Z. Acuff, Planning Administrator  
David Fehr, AICP, Director of Development  
Lee Margraf, Administrative Secretary, Dept. of Development  
Kevin Fall, Butler Soil & Water Conservation District  
Constance Kepner, Water & Sewer Department  
Eric Pottenger, Butler County Engineers Office

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

**APPROVAL OF MINUTES:**

**November 13, 2012 Meeting Minutes**

Mr. Brown made a motion to approve the November 11, 2012 Meeting Minutes as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

**AYES:** Brown, Wiant, Barnes, Potter, Cooney

**NAYES:** None

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**ZONE CHANGES:**

**RZC 12-02**

**Butler County 2012 Rural Zoning Resolution Text Amendments**

(Source water protection, accessory buildings, Recreational Vehicles (RV) parking, and minor typographic corrections)

Mr. Acuff said there is a whole list of text amendments in the Board members' packets, the largest of which is replacing Article 22 of the Zoning Resolution with the new Article 22.

Mr. Acuff went through the proposed text amendments including, but not limited to, accessory buildings, RV parking, and minor typographic corrections in the Residential Zoning sections. Mr. Acuff said these changes went to the Rural Zoning Commissioner last month and received their recommendation for approval. Mr. Acuff asked the Board if they had any questions so far. No questions were asked.

Mr. Acuff moved on to Article 22, which is the Wellhead Protection Overlay District, the proposed language is the source water protection topic, citing the reasons for the change is to update the old language and updates with new technology and introduced Mr. Tim McClelland, Hamilton to New Baltimore Ground Water Consortium, who is here to answer any questions regarding the Source Water Protection Plan.

Mr. Fehr said he wanted to point out the way we enforce this is actually what we call an "overlay district" that is on top of zoning which is currently in place – so zoning doesn't change but, regulations may have an additional layer if you are in one of the areas highlighted, where you might have to protect areas from salt storage or things like that and this has been in place since 1998 and it works pretty well. He added that Mr. McClelland is focused on education with the businesses, and is not out there to "catch" businesses doing wrong but rather educating them and there has been pretty good cooperation over the years. We've been really happy with the program and it is our ground water which is really big when it comes to economic development and this helps to avoid having to build a new well field which is very expensive and we get so much of our public drinking water from these wells and from an economic development perspective, it must be protected.

Mr. Cooney asked about a new area of green in Ross Township on the One Year Time of Travel Zone map, and asked how it would impact those businesses.

Mr. McClelland said yes, we will be contacting those business affected in those areas and letting them know about this change and there are certain quantity thresholds that will have to be met, but, just a small amount of businesses are affected and only one (1) business has objected to it in his 12 years' experience and everyone has been pretty much onboard with protecting the drinking water resources.

Mr. Fehr said other than the One Year Time of Travel zone, very few businesses are zoned out there, such as a drycleaners, otherwise, most can exist there if they do certain things to protect the ground water.

No further questions from the Commission.

Mr. Fehr said they presented this information and the maps to Ross Township Trustees as the most impacted area is Ross Township so we went and met with their Trustees at one of their public meetings and they were in favor of the change also.

Mr. McClelland said the City of Fairfield has also adopted the same language and we hope to use it in St. Clair Township and a couple of other townships.

No further questions asked.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Potter made a recommendation to approve the proposed Butler County 2012 Rural Zoning Resolution Text Amendments as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Barnes, Brown, Cooney

NAYES: None

**RESOLUTION: #12.65**

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**PRELIMINARY PLATS:**

**Liberty Town Square,  
Section 13, Town 3, Range 3  
Liberty Township**

Mr. Potter said it is his understanding that the applicant is not ready to move forward and recommended tabling.

Mr. Potter made a motion to table the preliminary plat for Liberty Town Square, Section 13, Town 3, Range 3, Liberty Township, as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Brown, Barnes, Cooney

NAYES: None

**Resolution #: 12.66**

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**Chamberlin Property  
Sections 17 & 18, Town 4, Range 3,  
Hanover Township**

Mr. Potter said it is also his understanding that the applicant is not here and this is not yet ready and they've requested to table it so he made a motion to table the preliminary plat for Chamberlain Property, Sections 17 & 18, Town 4, Range 3, Hanover Township, as requested. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Barnes, Brown, Cooney

NAYES: None

**Resolution#: 12.67**

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**FINAL PLATS:**

**Meadows of Aspen Trails, Section 4, Block C  
Section 4, Town 2, Range 3  
Liberty Township**

Mr. Acuff said this is a residential development of 28 lots on just under 7.5 acres off of Kyles Station Road and just west of Route 747.

Mr. Acuff said the Subdivision Review Committee met and comments were sent to the engineer and most of the items listed have been resolved with a few minor issues to clean up.

Mr. Acuff said staff recommends approval subject to finalizing the open items from staff comments.

Mr. Brown made a motion to approve the final plat for Meadows of Aspen Trails, Section 4, Block C, Section 4, Town 2, Range 3 Liberty Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Brown, Wiant, Potter, Barnes, Cooney

NAYES: None

**RESOLUTION #: 12.68**

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**The Knolls of Liberty Estates, Section 2, Block C  
Section 31, Town 3, Range 3  
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is a development of 12 lots on seven (7) acres on the east side of Lesourdsville West Chester Road and just north of the regional highway.

Mr. Acuff said the Subdivision Review Committee met on this and transmitted comments to the engineer and we have not received a revised plan back but most are minor issues.

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

Mr. Barnes made a motion to approve the final plat for The Knolls of Liberty Estates, Section 2, Block C, Section 31, Town 3, Range 3, Liberty Township, subject to staff conditions. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Barnes, Brown, Potter, Wiant, Cooney

NAYES: None

**RESOLUTION #: 12.69**

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**Linn-Crest Acres, Replat of Lots 5 & 6  
Section 16, Town 3, Range 3  
Liberty Township**

Mr. Acuff said this is a final plat located up on Linn Road in the northern portion of Liberty Township. The homeowner on lot 6 owns both lots 5 & 6 and is looking to combine the two (2) lots together and the only item outstanding on this is a paperwork issue at the Auditor's Office, and pending that is resolved, staff does recommend approval.

Mr. Potter made a motion to approve the final plat for Linn-Crest Acres, Replat of Lots 5 & 6, Section 16, Town 3, Range 3, Liberty Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Barnes, Brown, Cooney

NAYES: None

**RESOLUTION #: 12.70**

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**Cooke Meadows, Replat of Lots 1 – 3  
Section 5, Town 1, Range 4,  
Madison Township**

Mr. Acuff said the next two (2) replats are up in Madison Township and the first one involves three (3) lots on Radabaugh Road and wish to combine them into two (2) lots.

Mr. Acuff said Subdivision Review Committee's comments were sent back to the applicant and he highlighted the staff conditions and said Staff does recommend approval subject to those comments.

Mr. Brown made a motion to approve the final plat for Cooke Meadows, Replat of Lots 1, 2 and 3, Section 5, Town 1, Range 4, Madison Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Brown, Wiant, Barnes, Brown, Cooney

NAYES: None

**RESOLUTION #: 12.71**

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**Goeble Farms, Section 2 (replat)  
Section 19, Town 2, Range 4  
Madison Township**

Mr. Acuff showed an aerial image of the property and said it is located north of the City of Trenton, on Elk Creek Road and is currently undeveloped land. The northern part of the property is part of Lot 15 and the owners wish to combine it with un-platted land south and create one (1) lot, hence, the reason it is being presented here today.

Mr. Acuff said staff comments were sent to the applicant and the applicant doesn't have any objections with the conditions. For the record, the soils are highly erodible when saturated and are subject to slippage so they need to be noted that precautions will be taken before construction on the site, aside from that staff recommends approval subject to the conditions from staff.

Mr. Potter made a motion to approve the final plat for Goeble Farms, Section 2 (replat), Section 19, Town 2, Range 4, Madison Township, subject to staff conditions. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Potter, Brown, Wiant, Barnes, Cooney

NAYES: None

**RESOLUTION #: 12.72**

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**ADJOURNMENT:**

Ms. Wiant made a motion to adjourn, seconded by Mr. Brown. 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  
December 11, 2012

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Chair

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Secretary

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Lee Margraf