



**BUTLER COUNTY  
PLANNING COMMISSION  
Meeting Minutes**

**MEETING:** Tuesday, December 13, 2011; 3:00 p.m.

**ROLL CALL:**

Present: Charles Bullington, Chair  
Kevin Cooney, Vice-Chair  
Tom Barnes  
Steven Brown  
Lynn Nevel  
G. Coe Potter  
Shirley Wiant

Absent: Christopher Flaig

Staff Present: David Fehr, AICP, Planning Director  
Lee Margraf, Administrative Secretary  
Kevin Fall, Butler Soils & Water Conservation

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**APPROVAL OF MINUTES:** No Minutes to approve

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**ZONE CHANGES:**

**LTZ 11-02  
Liberty Township Board of Trustees – Map Amendment  
Liberty Township**

Mr. Fehr said the overhead projector is not in service to show visuals, however, all of the maps and plans relative to today's meeting were mailed out to each of the Planning Commission members in advance of the meeting for their review.

Mr. Fehr said he did include an extra copy of the application for this zone change in the binders, which is the same information that was mailed to the Board prior to the meeting.

Mr. Fehr said the purpose for the rezoning is more a housekeeping matter and the application was prepared by Liberty Township staff and Mr. Andrew Meyer, Senior Planner for Liberty Township, is here if there are any questions about the details.

Mr. Fehr said in three (3) subdivisions parts of lots in them were in two (2) different zoning districts, and those subdivisions involved are Windsor Estates, Lakota Woods and Lanes Landing. An aerial photo for each subdivision was included in the packets.

Mr. Fehr said the Township has spoken with developers of the subdivisions to get them on board and talked with the property owners and staff recommends approval of this Zone Change Request and since this is a Zone Change we will need to take comments from the public of those in favor of and those against.

Mr. Fehr welcomed Mr. Meyer back to the podium to answer any questions the Planning Commission members may have.

Mr. Meyer said he is here representing the Liberty Township Trustees, and said Mr. Fehr did a good job explaining the need for the Map Amendments as a housekeeping issue for the Township.

Mr. Meyer said these changes will have no affect on the setbacks within a platted subdivision and will have all of the same exact setbacks and allowances so there is no affected change by these requested changes.

Mr. Meyer said all of the property owners were notified twice so far, by letter, explaining in detail what is happening and offered to answer any questions.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL COMMENTS: None

Ms. Wiant made a motion to approve LTZ11-02, Liberty Township Board of Trustees, Map Amendment, Liberty Township as submitted. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Potter, Cooney, Barnes, Nevel, Bullington

NAYES: None

**Resolution: # 11.48**

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**LTZ 11-03 Jan Collins**

**Change from R-RE to B-2**

**Liberty Township**

Mr. Fehr said there is an aerial photograph of the property in the Board packets which is located on Cincinnati Dayton Road in Liberty Township and is divided into two (2) different

zones – a portion along Cincinnati-Dayton Road is zoned R – RE and the portion to the rear is zoned B-2 and the applicant wishes to have the entire property zoned to B- 2.

Mr. Fehr said the back portion is already used for business use and the intent of the applicant is to open a restaurant.

Mr. Fehr said the next page is the Liberty Township Zoning Map and the property is outlined in green and is like a spot zoning in reverse. The A-1 is the oddball and is surrounded on three (3) sides by business zoning.

Mr. Fehr said the Township's Long Range Plan also calls for this area to be Commercial Use so staff does recommend approval of the zone change to get it in conformance and this is straight zoning.

He added the applicant is here if there are any questions.

No questions asked of the applicant.

Mr. Cooney made a motion to approve LTZ11-03, Jan Collins, Request to Change from R-RE to B-2, Liberty Township as submitted. Ms. Wiant seconded the motion. Motion carried.

AYES: Cooney, Wiant, Brown, Potter, Barnes, Nevel, Bullington

NAYES: None

**Resolution: # 11.49**

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**PRELIMINARY PLATS:** None

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**FINAL PLATS:**

**Commerce Park, Tri-County, Section 3, Replat part Lot 18  
Section 8, Town 2, Range 2  
West Chester Township**

Mr. Fehr said there is an aerial photograph of the property in the Board packets and stated this is commercial property along Mulhauser Road on the south side.

Mr. Fehr said the applicant would like to take the building as seen in the aerial photograph and the owner's adjacent two (2) lots to the west (the two (2) vacant parcels to the west) and would like to combine that into one (1) piece of property and replat that as one (1) lot.

Mr. Fehr said on the next page you can see the replatted lot and this would allow the applicant to expand at a future date. West Chester Township will not allow them to expand a building over multiple lot lines and the replat cleans things up. Staff has reviewed this and does recommend approval of the replat.

Mr. Bullington asked if they are moving over two (2) lots or just one lot.

Mr. Fehr said they will take those two (2) vacant lots directly to the west and make one (1) large lot.

Mr. Nevel made a motion to approve the replat of Commerce Park, Tri-County, Section 3, Replat part of Lot 18, Section 8, Town 2, Range 2, West Chester Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Nevel, Wiant, Potter, Cooney, Brown, Barnes, Bullington

NAYES: None

**Resolution: # 11.50**

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**Carriage Hill, Section 2  
Section 32, Town 3, Range 3  
Liberty Township**

Mr. Fehr introduced Anna Dragovich, a student from Miami University interning with us, and said she has been working on this and has helped out on a lot of different projects and she will present this final plat for your review.

Ms. Dragovich said this property is formerly known as Winding Creek and made reference to an aerial image of the property as to its location in Liberty Township.

Ms. Dragovich said Phase 1 has already been approved and the next phase is the large chunk located in the middle and outlined in gold on the image. Phase 2 consists of Lots 19 and 20 which is going to be open space.

Ms. Dragovich said there is a stream running through lots 19 and 20 and the developer has shown the stream buffer and we also had the developer put a minimum open elevation to the west. Staff has recommended approve of this replat.

Mr. Brown made a motion for approval of replat for Carriage Hill, Section 2, Section 32, Town 3, Range 3, Liberty Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Brown, Cooney, Potter, Wiant, Barnes, Nevel, Bullington

NAYES: None

**Resolution: # 11.51**

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**OTHER BUSINESS:**

Mr. Fehr told the Planning Commission he is in the process of hiring a new Planning Administrator with hopes to fill that position mid-January 2012. Mr. Fehr said he will be at future Butler County Planning Commission meetings to train the newly hired person for a little while, then that person will facilitate the Planning Commission meetings once they are on board.

Mr. Fehr said as far as Butler County's Economic Development activity, we have a Japanese auto supply company that will be coming around tomorrow to visit eight (8) different sites in the county and it would be a \$45 million investment and create 100 jobs with an average hourly wage of \$20.00. Mr. Fehr said we are partnering with Cincinnati USA Partnership on that and we will also be bringing the local jurisdictions' economic development folks along as well.

Mr. Fehr said there will be a meeting with the State of Ohio on Monday for an undisclosed manufacturing firm in search of a 100,000 square foot facility and we will be submitting our best sites to match the criteria.

Mr. Fehr said typically December is a slow month for Economic Development but we are busy on two projects to submit.

Mr. Fehr said the former Treasurer of Cuyahoga County consulting business called "Thriving Communities" will be coming down to meet with all of our economic development folks, who meet on a quarterly basis, and we will have a meeting to discuss land banking possibilities.

Mr. Fehr said the idea of land banking is to reduce blight and increase property values in the areas where properties have been forfeited and are undesirable even after it has gone to the Sheriff's sale. The process is for county governments to take properties that have gone to Sheriff's sale and are undesirable and have typically back taxes owed on those and to create a land bank by demolishing the undesirable buildings on them and to use that as a vehicle to assemble properties through demolition and get them ready for transforming and redevelopment. It is something that Butler County is looking into at this time and wants to gather information to see if it makes sense for the County to get involved. He added the cities of Middletown and Hamilton would be great candidates for such activity but the State law only allows the Counties to form land banks, not the cities.

Mr. Fehr said land banking sounds good but there is a lot of work involved and we would have to figure out if that would be done through a consultant or the Port Authority and expects there will be a work session within the next few months on the topic of land banking to see if Butler County wants to pursue this or not. He added it is a very interesting topic and there are eight (8) different counties currently doing it.

Mr. Bullington asked if the properties involved have to be contiguous.

Mr. Fehr replied no they do not, and it really depends on the local criteria of land bank and his fear is that the County would get stuck maintaining the properties, like cutting the grass and such and he does not want any part of that but the land bank can be very specific and choose what properties they want and Hamilton County has opted to do a fair amount of rehab. The other recommendation given to Butler County is to have a plan in place before the purchase of any of these properties and know what to do with it. He added that having an unkempt

property on a street reduces the property value of the entire street and the idea is to get those problem properties improved – it might be demolition, it may be rehabbing an existing house and then selling it or it might be a lot split for adjoining neighbors.

Mr. Potter asked about the funding of Land Banking.

Mr. Fehr said the funding comes from the 10% late penalty fees collected from non-payment of taxes and we would take that penalty payment and put it towards the purchase of these undesirable properties. The down side is typically the penalty fees goes back to the county and most of the school districts and local governments we've spoken with do not budget for that – so it is like a great windfall and they would have to be willing to give up that money for the Land Banking.

Mr. Fehr said if the County can increase the value on the street; it will recoup the investment in 3 – 5 years so it is a long term investment.

Mr. Potter asked if it is a County project, why the County would pay the County.

Mr. Fehr said it would actually be through the Land Bank, set up as private property owner – a board, made up of the County Treasurer, Auditor, two (2) Commissioners so they are the board and it would be up to the Land Bank to make a matrix to set up a point based value system for each property and to designate what is worth reviewing and for consideration.

Mr. Potter said it would be a quasi-government. He said he recalls reading an article about two years ago about homes in inner Detroit selling for an average of \$800.00 and then it showed pictures of city blocks with only one (1) house on it and everything else on the whole block was gone, but he did not know if it was due to land banking or not.

Mr. Fehr said there are “flippers” out there that will acquire the properties, rent them out for \$500.00 a month and may have bought it for \$100.00. He added that it is a pretty big problem.

Mr. Fehr said it will be up to the County Commissioners to decide whether the County will participate in land banking. He added that the problems associated with these types of vacant properties, like crime and fires, won't go away and improvements will help stabilize the neighborhoods.

Mr. Bullington said there were a number of homes in the west end of Cincinnati that ended up basically being demolished and the homes were rebuilt.

Mr. Fehr said it is a real problem and the cities are shrinking in population and it's about supply and demand and some people don't like to look at it this way but it is reality and that is why demolition might make sense. He told the Planning Commission he would keep them posted on this issue and said he feels the Port Authority is the perfect vehicle for this, but right now Mr. Robert (Mike) Campbell, of the Port Authority, is the acting County Administrator and he has a full plate.

Mr. Fehr said if any of the Planning Commission members are interested in additional information on land banking they can contact him by email.

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**ADJOURNMENT:**

Mr. Potter made a motion to adjourn, seconded by Ms. Wiant. 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 13, 2011

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Chair

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Secretary

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Lee Margraf