

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
February 24, 2020**

MEMBERS PRESENT: Jim Hahn, Mark Murphy, Doug Rinnert, Larry Whited

MEMBERS ABSENT: Richard Grow, Jim Williams

STAFF PRESENT: Timothy Dawson, Township Planner  
Beverly Worley, Administrative Assistant  
Austin Musser, FBT; Legal Representation

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

Mr. Hahn called the meeting to order. Mr. Dawson called the roll. A quorum was established.

Mr. Rinnert made a motion to approve January minutes, seconded by Mr. Murphy. Motion carried unanimously. Mr. Dawson called the roll.

Mr. Hahn made a motion to approve Resolution 20-1; all were in favor, 4-0  
Mr. Hahn made a motion to approve Resolution 20-2; Mr. Hahn abstains from vote, 3-0 in favor;

Mr. Dawson was sworn in. Mr. Dawson swore in case participants.

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**RFPD-02-20-A WCV; The Woods (Landoniniums)**

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The applicant is NVR, Inc. dba Ryan Homes. The applicant requested a Revised Final Development Plan for the architectural design of 18 calvert units within buildings 1, 2, 14, & 15 located at 8033 Pinnacle Pointe Drive

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

**Action**

The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Revised Final Development Plan unless additional information is deemed necessary to make an informed decision.

Mr. Whited asked Mr. Dawson to repeat the last paragraph statement.

Mr. Dawson stated that he received numerous questions regarding parking from adjacent properties from the public notice sent of this meeting. He stated this will need addressed during this meeting. Some signs were posted regarding parking however the property is an active construction site so some parking issues are occurring. The current landowner controls the HOA so the enforcement falls on the landowner not the applicant.

Mr. Whited stated that this would only be a temporary inconvenience.

**Applicant**                      **Stephen Hunt**  
**Aronoff, Rosen, & Hunt**

Mr. Hunt stated he is the attorney for the applicant. Mr. Hunt gave an overview of the applicant's request.

**Mark Maier**  
**General Manager**

Mr. Maier explained the mistake that was made and gave a public apology. He gave an overview of the project and proposed some improvements to help the neighborhood.

Mr. Whited asked if the proposed improvements were items they originally planned.

Mr. Maier said they were not.

Mr. Murphy asked when and how Mr. Maier found out about the mistake.

Mr. Maier replied mid-December 2019 by one of the West Chester Property Advisors.

Mr. Hahn asked when the error was discovered, were all 18 units occupied.

Mr. Maier replied yes.

**Brent Wilkins**  
**Construction Manager**

Mr. Whited commented that he had seen this before with and explained how it was corrected and that it was costly. He asked the applicant to provide a realistic idea of cost and time to correct this project.

Mr. Dawson interjected with a more detail description of the wainscoting.

Mr. Whited stated he's not seeing the magnitude of the issue. He's not seeing the trade off to the extreme cost of the fix.

Mr. Wilkins gave his estimate of how long it would take to correct the error; approximately a week per building.

**Proponents**            **None**

**Opponents**            **Mike Readnower**  
**7975 Pinnacle Point**

Mr. Readnower stated his concerns if this application passed and asked for assistance with the parking.

**Chris Castanias**  
**7949 Pinnacle Point**

Mr. Castanias asked for clarification; are the applicant's proposed improvements supposed to be in lieu of correcting the mistake?

Mr. Hahn stated that is what the applicant is proposing.

Mr. Castanias shared his concerns regarding property value with vinyl versus brick.

**Rick Sollmann**  
**7943 Pinnacle Point**

Mr. Sollmann stated he was contacted by Mr. Wilkins regarding this meeting. Mr. Sollmann would not mind parking somewhere else for a couple of days to have the brick put on their garage.

**Sandra Kroger**  
**7958 Whispering Run Ct.**

Ms. Kroger stated that she lives in the original calverts that were built. When she purchased the unit she was never shown or given the option for brick. Ms. Kroger stated she wants the brick added.

**Karen Bubenhofer**  
**7975 Pinnacle Point**

Ms. Bubenhofer stated she lives at Pinnacle and Prescott; where the drive-way has now turned into a street. Ms. Bubenhofer asked if it was true that the front of the condos were supposed to be brick.

Mr. Dawson said yes.

Ms. Bubenhofer shared her concerns of what they did and how she disagrees with their proposed fixes. Ms. Bubenhofer also commented on the parking issues on her driveway.

**Donna Cobb**  
**7955 Pinnacle Point**

Ms. Cobb stated that when she purchased her unit she was told brick wasn't an option. Ms. Cobb is in favor of the brick.

**Neutral**

**None**

**Deliberations**

Mr. Whited stated that everyone makes mistakes and it's the Zoning Commission's duty to help bring resolution. He stated that he doesn't see where a pocket park makes up for that and that we should make that correction happen.

Mr. Rinnert agreed that the correction should happen. Mr. Rinnert felt this should not have come before Zoning Commission and that Ryan Homes should not have delayed in correcting their mistake.

Mr. Murphy agreed with other Board Members.

Mr. Hahn stated he reviewed the video from December 2017 when the FDP was approved. He asked the applicant if they understood what is required and the applicant said yes. Mr. Hahn continued to say, when you make a mistake in business you fix it.

Mr. Whited asked about the signage / parking issue.

Mr. Dawson spoke of the conversation he's had with the landowner and developer. Staff will work on this and it's not part of the actual application.

Mr. Hahn made a motion to deny Case # - RFPD-02-20-A WCV; The Woods (Landominiums). Mr. Whited seconded the motion.

Aye: Mr. Hahn, Mr. Murphy, Mr. Whited, Mr. Rinnert

Nay:

Motion carries 4 - 0

Mr. Whited asked about the time frame of the correction taking place.

Mr. Dawson stated that with the denial it reverts back to the staff level and it becomes a zoning violation. The staff would be in contact with Ryan Homes.

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**Administrative Business:**

The next ZC meeting is Monday, March 16 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 6:51 p.m.

**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.**

Chairman:

  
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Jim Hahn

Secretary:

  
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Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 20-3  
WEST CHESTER VILLAGE; THE WOODS - RFDP (02-20-A)**

**WHEREAS**, on March 13, 2001, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (10-2001), which included 255 single-family residential lots, clubhouse and pool, and additional recreational amenities and 232 townhouse units with attached garages, clubhouse and pool, and additional recreational amenities on approximately 137.09 acres; and,

**WHEREAS**, on August 14, 2001, the West Chester Township Board of Trustees approved a resolution modifying condition #1 of West Chester Township Resolution No. 10-2001 (38-2001), which revised the lot widths for the portion of the R-PUD containing the single-family residential lots; and,

**WHEREAS**, on August 20, 2001, The West Chester Township Zoning Commission approved a Final Development Plan (01-22) for 232 condominium units with attached garages, clubhouse and pool, and additional recreational amenities on approximately 33.17 acres; and,

**WHEREAS**, on January 26, 2015, A Revised Preliminary Development Plan (15-1) was approved on January 26, 2015, which reduced the number of remaining, undeveloped condominium units from 112 to 89 on approximately 13.45 acres; and,

**WHEREAS**, on December 18, 2017, a Final Development Plan (17-25) was approved for 88 single-family residential (landominium) lots to complete the remaining, undeveloped portion of approximately 13.45 acres within the R-PUD; and,

**WHEREAS**, on January 27, 2020, NVR, Inc. submitted an application requesting a Revised Final Development Plan approval for the architectural design modification of 18 Calvert model units within buildings 1, 2, 14, and 15 within the previous approval; and,

**WHEREAS**, on February 24, 2020, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

**NOW, THEREFORE BE IT RESOLVED**, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby deny the aforesaid application.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval. This action shall take effect this 24<sup>th</sup> day of February 2020.

West Chester Township  
Butler County

Chairman:



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James Hahn

Secretary:



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Timothy Dawson  
Township Planner