

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
September 19, 2022**

MEMBERS PRESENT: Jim Hahn, Richard Grow, Doug Rinnert,
Larry Whited, Brian Asbrock (seated)

MEMBERS ABSENT: Jim Williams

STAFF PRESENT: Timothy Dawson, Township Planner
Beverly Worley, AP III
Charles Gavin, 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. Whited made a motion to approve July 18, 2022 minutes, seconded by Mr. Rinnert. Mr. Dawson called the roll. Motion carried 3-0.

Mr. Hahn made a motion to approve FDP 07-22-A The Village North, Phase I; Miscellaneous Improvements and Resolution 22-7; Motion carried 3-0.

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

ZMA4-22 Anderson Farm

The applicant is Monarch Homes. The applicant is requesting approval for a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development) and a Preliminary Development Plan for 6 single-family lots on 3.1 acres (2 units per acre) located at 6273 Tylersville Road. Parcel # M5610-029-000-008

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 recommend approval, approve with modifications, or deny the submitted Zoning Map Amendment / Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

No questions from the Board

Applicant **Chris Pernice**
Owner, Monarch Homes

Mr. Pernice gave an additional presentation of the layout and appearance of the homes.

Josh Liles
Apex Engineering

Mr. Liles discussed the detention basins.

Mr. Grow asked if a fence is required around the detention ponds.

Mr. Dawson stated it is not required from WCT Zoning.

Proponents **None**

Opponents **Normagene Lowe**
6169 Tylersville Road

Ms. Lowe discussed the danger of coming in and out of the driveway as it is now. She's concerned it will become even more dangerous.

Kathy Fiorenza
6180 Cardington Pl

Ms. Fiorenza commented that she shared Ms. Lowe's concern regarding the danger of pulling in and out of the drive. Ms. Fiorenza discussed her concern regarding the water issues coming off of the proposed property. Ms. Fiorenza stated her property is at the bottom of the hill. She's concerned where the water will go when the land is taken away that absorbs it now.

Tim Bubnick
6190 Cardington Pl

Mr. Tim Bubnick shared his concerns with the water drainage. He showed pictures for exhibits of water around his property.

Tom Bubnick
6200 Cardington Pl

Mr. Tom Bubnick shared his concerns with the way the water runs onto his property.

Mike Novean
6197 Cardington Pl

He explained how he is a little detached from the proposed property however he does suffer from the effects of the water hitting the roadway and he has also seen the effects that his neighbors suffer.

Mr. Novean explained that he is a civil engineer. He contacted the BCEO to obtain the drawings of the subdivision to see the original intended drainage. He stated the proposed plan goes against the existing subdivision was designed and anticipated to happen. Mr. Novean pointed out differences of the proposed plan compared to what the original plan was intended.

Mr. Hahn asked if all the water drainage was coming from the proposed parcel.

Mr. Novean stated that all the water hitting their backyards other than the small portions of their own backyards is coming from the proposed parcel.

Mr. Whited asked if BCEO had offered any recommendation for relief.

Mr. Novean stated he hadn't voiced any opinions until this meeting.

Neutral **None**

Mr. Hahn asked the applicants to return to the podium.

Mr. Hahn asked if BCEO had reviewed the case.

Mr. Dawson stated no. WCT just has the general condition that they meet those requirements at the FDP stage.

Mr. Liles stated the site distance with the driveway is from BCEO. BCEO changed our original site to this. Mr. Liles also demonstrated on the PowerPoint their solution for the drainage concern.

Mr. Hahn asked the applicants if they had seen the pictures presented.

Mr. Liles stated he had and that he doesn't doubt the concern; he feels what they are proposing will make it better.

Mr. Hahn wanted to confirm that the applicant is building a swell across the southern property from the east to the west that water will be captured from this parcel into that swell into the basin.

Mr. Liles stated that is correct and diverting a little more to the north.

Mr. Whited asked about making the basins deeper than proposed.

Mr. Liles stated that could work then discussed the cons.

Deliberations

Mr. Grow stated he thought the case should be continued to gather additional information to make sure that the parcels affected by the drainage that this doesn't make it worse.

Mr. Rinnert, Mr. Asbrock, and Mr. Whited are in agreement.

Mr. Hahn did not agree. He suggested that the neighbors get a little more involved with the BCEO and explain their concerns. He stated the application meets the land use, the setbacks, the density and all the things the Board is to consider.

Mr. Hahn asked if the applicant had to come back before Zoning Commission.

Mr. Dawson stated that they will have a public hearing with the Board of Trustees just on the map amendment and the PDP. They will come back before ZC for a judiciary decision at the FDP stage where we can get further details.

Mr. Hahn suggested to pass this application. In the meantime they will need to get a grading and storm water plan and get it approved by BCEO.

All Board Members agreed.

Mr. Dawson reminded the Chairman of the adjacent resident's concern regarding the line of sight. An option would be to condition an easement where she could share this drive as long as she's willing to accept.

Ms. Lowe was asked to return to the podium and she stated she was not in agreement.

Mr. Hahn explained that BCEO will review the application again with the grading plan is submitted. If BCEO feels it's unsafe, they will propose a different option.

Mr. Hahn made a motion to approve Case # - ZMA04-22 Anderson Farm with staff and other agency comments and recommendations. Mr. Rinnert seconded the motion.

Mr. Hahn spoke to the audience to ask them to come back to the meeting when the applicant applies for the FDP. Mr. Hahn asked the applicant to stay in contact with the neighbors of the adjoining property.

Aye: Mr. Rinnert, Mr. Whited, Mr. Hahn, Mr. Grow, Mr. Asbrock

Nay:

Motion carried 5-0

Administrative Business:

The next ZC meeting is scheduled for Monday, October 17, 2022 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:05 p.m.

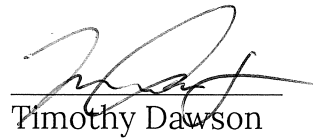
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

Chairman:



Jim Hahn

Secretary:



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 22-8
ANDERSON FARM
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN -
ZMA 04-22 (R-1A to R-PUD)**

WHEREAS, on August 12, 2022, Monarch Homes, LLC. submitted an application requesting a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for six (6) single-family residential lots on approximately 3.5 acres (1.7 units/acre); and,

WHEREAS, on September 13, 2022, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on September 19, 2022, 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 actions and findings, the West Chester Township Zoning Commission does hereby recommend approval of the aforesaid application with the following conditions:

- 1.) All right-of-way dedications and access points shall be coordinated and constructed as required by the BCEO and WCT standards. Additionally, parking shall be prohibited on the private access drive in order to accommodate safety services.
- 2.) The internal, private drive shall be illustrated as extending and stubbed to the west property line along the portion of the east/ west orientation.
- 3.) A preliminary drainage report, pursuant to the Butler County Subdivision Regulations, Section 4.07, shall be provided to the BCEO and approved prior to the FDP stage.
- 4.) Detailed site civil engineering plans, including grading plans and stormwater drainage plans and calculations shall be coordinated with the BCEO at the FDP stage, to include compliance with all OEPA and NPDES permits and proper design and alignment of the private access drive with Top Ridge Drive.
- 5.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) at the FDP stage.

- 6.) The applicant shall coordinate with the Butler County Water and Soil Conservation District at the FDP stage in regard to the abandonment of any existing septic tanks and/ or private water wells; a high water table note will be required to be added to the final plat to ensure the developer takes special precautions to ensure any basements remain dry; and the high water table note required on the record, subdivision plat.
- 7.) The applicant shall coordinate with the West Chester Township Fire Department (WCTFD) at the permitting stage in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane requirements; and all other applicable building and fire codes, to specifically include the following:
 - a) All structures will need to be within four-hundred (400) feet of a fire hydrant;
 - b) Final decision on the street names;
 - c) The private drive shall be constructed at 24 feet in width and will be required to be posted "No Parking – Fire Lane;"
 - d) The private street shall be designed and constructed to accommodate turning radius of all fire vehicles; and
 - e) The private drive shall meet approved vehicle turnaround (cul-de-sac, hammerhead, etc.) and shall be illustrated on the FDP;
- 8.) A minimum of a five (5) foot wide sidewalk shall be illustrated on the FDP. The sidewalk shall meet Butler County subdivision regulations, which would require sidewalks on both sides of the private drive, to include being stubbed to the west property lines located at the access point and the east/ west orientation of the private drive.
- 9.) Any postal, cluster box location shall be coordinated with the U.S. Postal Service and locations and details shall be provided at the FDP stage.
- 10.) Building setbacks shall be approved as labeled on the Preliminary Development Plan (PDP).
- 11.) Detailed floor plans and building elevations shall be provided at the FDP stage. All building walls shall contain a minimum of 50% masonry building materials (brick, stone, cultured stone, hardi-panel, etc.).
- 12.) Street light locations and light fixture details shall be provided at the FDP stage.

- 13.) A detailed landscaping plan shall be provided at the FDP stage, which consists of adequate landscape screening of any building rear wall that is highly visible from the Tylersville Road public right-of-way; street trees; dwelling perimeter landscaping details; and subdivision monument sign perimeter landscaping details.
- 14.) Any subdivision identification, monument sign locations shall be illustrated on the FDP. All signage details, including illumination, shall be provided at the FDP stage.
- 15.) All open space lots shall be designated as such on the record, subdivision plat.
- 16.) Any draft DCCRRE, which also establishes the home owners' association (HOA), for the Anderson Farm residential subdivision shall be provided to the WCTCDD for review at the FDP stage. The DCCRRE shall include the Anderson Farm record, subdivision plat as a supplemental exhibit to the DCCRRE. A copy of the recorded DCCRRE shall then be provided to the WCTCDD for the case file records prior to the issuance of zoning certificate.
- 17.) The property owners and/ or the HOA shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the retention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping beds surrounding the subdivision identification, monument sign shall be irrigated with a permanent system prior to the issuance of a final zoning inspection.
- 18.) A temporary construction road and vehicle staging area shall be illustrated on the FDP, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 19th day of September, 2022.

West Chester Township,
Butler County, OH

Chairman:


James Hahn

Secretary:


Timothy Dawson
Township Planner