

RESOLUTION NO. 26-99

BE IT RESOLVED by the Township Trustees of Union Township, Butler County, Ohio that:

WHEREAS, by advertisement, a public hearing to amend the Union Township Zoning Resolution was held on June 8, 1999 on the application of Kenneth E. Caster (02-99) to redistrict from B-1 (Neighborhood Business District) to C-PUD (Commercial Planned Unit Development) for the following described property:

Situate in Section 28, Town 3, Range 2, in Union Township, Butler County, Ohio, and bounded and described as follows:

Beginning at a point in the South line of Guard Street (a street recorded on the plat of West Side in the Village of West Chester, recorded in Plat Book 8, Page 23 of the Butler County, Ohio Records), said point found by measuring from the intersection of the westerly right of way line of the Cincinnati-Dayton Road and the south line of Section 28, North 5°10' East, 431.50 feet to the South line of said Guard Street; thence North 84°50' West, 100.00 feet, along the South line of Guard Street to the above mentioned point of beginning; thence along the westerly line of a tract of land conveyed by Carl S. Jesse to F.J. Hoerst and recorded in Deed Book 406, Page 197 of the Butler County, Ohio Records, South 5°10' West, 315.78 feet to the southwest corner of said Hoerst land; thence South 57°10' West, 88.83 feet to the southwest corner of the Grantor's land; thence along the Grantor's westerly line North 5°10' East, 370.47 feet to the south line of said Guard Street; thence along the south line of Guard Street, South 84°50' East, 70.00 feet to the place of beginning, containing 0.551 acres of land. Subject to easements, conditions, and restrictions of record, if any.

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and

WHEREAS, the Union Township Zoning Commission recommended approval (Resolution 99-10) of this district change from B-1 to C-PUD; and

WHEREAS, said application was reviewed by the Board of Township Trustees and determined to be consistent with the Union Township Land Use Plan.

THEREFORE BE IT RESOLVED, that the Board of Trustees does hereby accept the recommendation of approval with conditions from the Zoning Commission for the aforesaid district change from B-1 to C-PUD and does hereby unanimously approve the following conditions:

1. No Zoning Certificate shall be issued until a twelve (12) feet wide public access easement within the property's driveway from the east property line is recorded as a cross access easement and a copy of said recording has been submitted to the Department of Planning and Zoning.
2. No Final Inspection Zoning Certificate for any user shall be issued until a sidewalk, as approved on the subject site plan, has been installed along the entire frontage of Guard Street.

3. Permitted uses for this property shall include B-1 (Neighborhood Business) District uses, pursuant to the applicable requirements of the Union Township Zoning Resolution. The existing detached garage may be used for storage of materials and equipment when used in conjunction with and accessory to the existing principle structure's office and/or retail uses.

Adopted the 22nd day of JUNE, 1999

Joe T. Alvarez, Yes

Thomas J. Hayden Yes

Township Trustees

Attest: Patricia Williams
Township Clerk