

RESOLUTION NO. 45-99

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 September 20, 1999 as applied for by David J. Clinton (11-99) to redistrict from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) for the following described property:

Beginning at a point in the north line of said Section 12 and in the centerline of Hamilton Mason Road, said point being found by beginning at a Railroad Spike at the northwest corner of said Section 12 and going thence, N 89°32' 19" E along the north line of said Section 12 and centerline of Hamilton Mason Road a distance of 1212.19 feet to a Railroad Spike at the Grantor's northwest corner. Thence, from said beginning Point N 89°32' 19" E along the north line of said Section 12 and Centerline of Hamilton Mason Road a distance of 1437.88 feet to a Railroad Spike; thence, N 89°44'34"E along the north line of said Section 12 and centerline of Hamilton Mason Road a distance of 1554.83 feet to a railroad spike at the Grantor's northeast corner; thence, S 00°00' 43"E along the Grantor's east line a distance of 1697.04 feet to an iron pin at the Grantor's southeast corner; thence, S 76°50' 45" W along the Grantor's south line a distance of 878.73 feet to an Iron pin; thence, S 76°29' 40"W along the Grantor's south line a distance of 2189.26 feet to a stone at the Grantor's Southwest corner; thence, N 00°25'19" W along the Grantor's west line as distance of 1776.03 feet to a stone corner; thence N 00°06'18" W along the Grantor's West line a distance of 613.73 feet to the Point of Beginning. Containing 140.407 acres of land and being subject to the right of way of Hamilton Mason Road and all easements and restrictions of record.

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 99-23) of this district change from A-1 to R-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 by a failure to achieve the unanimous vote necessary to overturn the decision of the Union Township Zoning Commission, the Board of Trustees does hereby approve the district change from A-1 to R-PUD with the following conditions, for the aforesaid application:

1. Preliminary Development Plan (PDP) approval is being granted for 174 single-family homes.
2. No Final Development Plan (FDP) shall be approved until a detailed drainage plan and calculations are submitted, reviewed and approved by the Union Township Planning & Zoning Department and the Butler County Engineer's Office. Any FDP submitted for the southwest quadrant of the proposed R-PUD, specifically lots 40-44 and lots 30-39, shall include a geotechnical report prepared and stamped by a professional engineer.
3. No FDP shall be approved until the proposed open space areas have been recorded as such and dedicated to an established Property Owner's Association. Detailed plans for use of those areas shall be submitted prior to FDP approval.

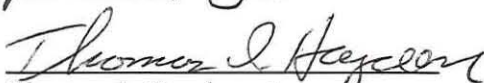
4. All phases at the FDP shall indicate a 6-foot walkway/bike path running along the east and south sides of the main road connecting the southern R-PUD (Tyler's Reserve) to Hamilton-Mason Road.
5. No FDP shall be approved until a detailed landscaping plan is submitted, reviewed and approved by the Union Township Planning & Zoning Department and the Butler County Engineer's Office.
6. Entrance identification signage shall be approved at FDP stage.
7. All roadways shall be considered public and constructed per the Butler County Engineer's Office standards for public roads. All private roads shall be constructed to 24 feet and meet the Union Township Fire Department standards for accommodating fire safety apparatus.
8. Road improvements to Hamilton-Mason Road shall include dedication of a 50-foot half right-of-way and construction of a right deceleration lane and berm. Other necessary road improvements, left turn lane or easements for site distance, shall be determined prior to FDP approval for any phase. All necessary improvements shall be completed and paid for by the applicant.
9. No FDP shall be approved until the looped water main and fire hydrant system are reviewed and approved by the Union Township Fire Department and Butler County Department of Environmental Services.
10. An emergency access and connection shall be required at the southwest connection to the R-PUD (Treillage) to the west.
11. All lots for any Phase shall comply with the Union Township Fire Hydrant Resolution. Location and number of fire hydrants shall be determined at FDP stage for any Phase.
12. Until alternative emergency accesses satisfying the Union Township Fire Department's needs, or external connections to adjoining properties or public roads are made, only the first phase of the proposed development shall be approved and allowed to be constructed.

Page 2 of 2 (Res: 45-99)

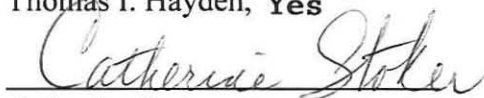
Adopted the 26th day of October, 1999



Jose Alvarez, **Yes**



Thomas I. Hayden, **Yes**



Catherine Stoker, **Yes**
Township Trustees

Attest: 

Patricia Williams
Township Clerk