

RESOLUTION NO. 42-97

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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 August 26, 1997 on the application of Guy V. Meade (04-97) to redistrict from R-PUD (Residential Planned Unit Development District) to B-1 (Neighborhood Business District), for the following described property:

Property to be redistricted by the proposed amendment situated and being in Section 27, Town 3, Range 2 between the Miami Rivers, Union Township, Butler County, Ohio and being more particularly described as follows:

Commencing at the southwest corner of the Southeast 1/4 to Section 28, Town 3, Range 2, thence with the southerly section line of said Section 28, North 88°00'17" East for a distance of 1193.28 feet to 5/8" iron pin set on the section line at the TRUE POINT of BEGINNING for the property described herein;

Thence continuing in said southerly section line to Section 28, North 88°00'17" East for a distance of 273.30 feet to the northwest corner of the Gladys Dick Property (Deed Book 1201, Page 170). Said point also being in the southerly line of property conveyed to Dan Minton (Deed Book 1522, Page 695).

Thence with the westerly line of the Gladys Dick property and eventually with the westerly line of the 12' wide Sycamore Alley, South 0°28'50" West for a distance of 710.43 feet to the northerly right of way of Beckett Road (60' R/W);

Thence with the northerly right of way of Beckett Road, South 88° 03'15" West for a distance of 400.00 feet to a 5/8" iron pin set at the southeasterly corner of Saratoga Farms, Beckett Ridge Section 29, Phase RZ3, Stage 1 Subdivision as recorded in Plat Envelope 1688, ABCD&E, Butler County Recorders Office.

Thence leaving the northerly right of way of Beckett Road, with the east line of said Saratoga Farms, North 0°28'44" East for a distance of 574.05 feet to a 1" iron pin found on said subdivision line.

Thence North 89°31'10" West for a distance of 95.58 feet to a 1" iron pin set on said subdivision line.

Thence North 58°00'00" East for a distance of 263.52 feet to the true place of beginning and containing 6.474 acres.

Situated in Section 28, Town 3, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows:

Commencing at the southwest corner of the Southeast 1/4 of Section 28, Town 3, Range 2, thence with the southerly section line of said Section 28, North 88°00'17" East for a distance of 1193.28 feet to a 5/8" iron pin set at the TRUE POINT OF BEGINNING for the property described herein:

Thence leaving said section line North 58°00'00" East for a distance of 386.48 feet to a 5/8" Iron Pin Set;

Thence North 00°04'52" East for a distance of 91.14 feet to a 5/8" Iron Pin Set;

Thence North 55°15'00" West for a distance of 155.91 feet to a 5/8" Iron Pin Set;

Thence North 4°45'00" East for a distance of 710.00 feet to a 5/8" Iron Pin Set;

Thence South 85°15'00" East for a distance of 175.00 feet to a 5/8" Iron Pin Set;

Thence North 45°00'00" East for a distance of 145.00 feet to a 5/8" Iron Pin Set;

Thence North 26°00'00" West for a distance of 320.00 feet to a 5/8" Iron Pin Set;

Thence North 46°30'30" East for a distance of 155.00 feet to a 5/8" Iron Pin Set;

Thence North 43°29'30" West for a distance of 150.00 feet to a 5/8" Iron Pin Set;

Thence North 46°30'30" East for a distance of 61.00 feet to a 5/8" Iron Pin Set;

Thence with the arc of a curve to the right having a radius of 14.00 feet for an arc distance of 21.99 feet, the chord of said arc being subtended by a central angle of 90°00'00" and a long chord bearing South 88°29'30" East for a distance of 19.80 feet to a 5/8" Iron Pin Set on the southerly right-of-way of LeSourdsville-West Chester Road (60' R/W);

Thence with said southerly right of way of LeSourdsville-West Chester Road South 43°29'30" East for a distance of 155.11 feet;

Thence South 14°00'30" West for a distance of 236.35 feet;

Thence North 87°00'30" East for a distance of 32.16 feet to an existing old fence in the westerly line of Dennis and Theresa Oldfield (Deed Book 1579, Page 346);

Thence with the existing fence line more or less South 26°02'09" East 335.00 feet to a point in the southerly property line of Norma J. Reece (Deed Book 1532, Page 551) thence with the westerly line of property conveyed to Rex & Ruth M. Tate, (Deed Book 965, Page 774), South 00°30'48" West for a distance of 594.81 feet to a point in the traveled centerline of the Cincinnati-Dayton Road;

Thence with the arc of a curve to the left, non-tangent to the last described line having a radius of 425.00 feet for an arc distance of 266.59 feet, the chord of said arc being subtended by a central angle of 35°56'26" and a long chord bearing South 18°58'13" West for a distance of 262.25 feet, said line also being the westerly bounds of property conveyed to West Chester United Presbyterian Church (Deed Book 1638, Page 375);

Thence leaving the centerline of Cincinnati-Dayton Road South 55°00'17" West for a distance of 5.58 feet;

Thence South 58°00'17" West for a distance of 29.21 feet;

Thence North 00°28'30" East for a distance of 215.64 feet;

Thence North 45°20'30" East for a distance of 70.82 feet;

Thence with the easterly right-of-way of Brookside Avenue (50' R/W) as shown on the plat of Westside in Westchester (Plat Envelope 189-A) North 00°28'30" East for a distance of 289.27 feet;

Thence continuing in the right-of-way of Brookside Avenue and eventually the westerly right-of-way of Elden Street the following five (5) courses:

1) With the arc of a curve to the left having a radius of 230.00 feet for an arc distance of 228.81 feet, the chord of said arc being subtended by a central angle of 57°00'00" and a long chord bearing North 28°01'30" West for a distance of 219.49 feet.

2) North 56°31'30" West for a distance of 25.72 feet.

3) With the arc of a curve to the left having a radius of 105.00 feet for an arc distance of 187.75 feet, the chord of said arc being subtended by a central angle of 102°27'00" and a long chord bearing South 72°15'00" West for a distance of 163.72 feet.

4) With the arc of a curve to the left having a radius of 913.56 feet for an arc distance of 327.66 feet, the chord of said arc being subtended by a central angle of 20°33'00" and a long chord bearing South 10°45'00" West for a distance of 325.91 feet.

5) South 00°28'30" West for a distance of 160.00 feet.

Thence with the southerly right-of-way of Guard Street South 89°31'30" East for a distance of 119.45 feet;

Thence leaving said right-of-way South 00°28'30" West for a distance of 338.64 feet;

Thence South 58°00'17" West for a distance of 202.27 feet to a point on the Southerly section line of Section 28, Town 3, Range 2;

Thence with said section line South 88°00'17" West for a distance of 234.47 feet to the TRUE POINT OF BEGINNING and containing 6.539 acres.

#### EXHIBIT "B"

I One hundred feet (100) taken evenly off the east side and south side of the 6.474 acre parcel described in Exhibit "A-1" and as shown on Exhibit "B-2."

II. One hundred feet (100') taken evenly off the entire westerly line of the 6.539 acre parcel described in Exhibit "A-2" and as shown on Exhibit "B-3."

Sellers reserve unto themselves, their heirs and assigns, an unlimited right of ingress and egress over the open space easement for access to the balance of their property.

**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 97-21) of this district change from R-PUD and B-1 to C-PUD Districts; and

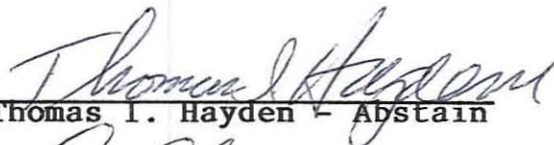
**WHEREAS**, said application was reviewed by the Board of Township Trustees and determined to be inconsistent with the Union Township Land Use Plan.


**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 with the following conditions the district change from R-PUD and B-1 to C-PUD, for the aforesaid application.

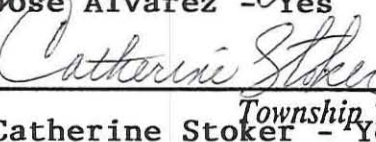
- 1) All Final Development Plan submittals shall include a detailed drainage plan prepared and stamped by a professional engineer.
- 2) All Final Development Plan submittals shall include a proposal for improvements to the immediate intersection of Guard Street and Brookside Avenue at Cincinnati-Dayton Road per the recommendations of the Butler County Engineer's Office.
- 3) No Final Development Plan shall be approved until cross easements are recorded providing cross access to each property.
- 4) No single property shall have constructed on it more than one principal structure.
- 5) No Final Development Plan shall be approved until the proposed open space areas have been recorded as such and dedicated to an established Property Owner's Association.
- 6) All Final Development Plan submittals shall meet all applicable parking provisions of the Union Township Zoning Resolution, including setbacks of parking areas from property lines and the width of parking aisles.
- 7) All Final Development Plan submittals shall meet the Union Township Zoning Resolution standards for maximum allowable lot coverage.
- 8) No Final Development Plan shall be approved until parking areas and emergency access lanes are reviewed and approved by the Union Township Fire Department.
- 9) All Final Development Plan submittals shall include a detailed landscaping plan.
- 10) Permitted signage shall be determined at Final Development Plan stage.
- 11) No Final Development Plan shall be approved until the subject property complies with all prior conditions of approval and all requirements of the Union Township Zoning Resolution.
- 12) The permitted uses for the proposed development shall be any principally permitted use in the O-1 (Low Intensity Office) and O-2 (General Office) Districts, as outlined in the Union Township Zoning Resolution, except for Building Number 18. Building Number 18 only shall be permitted any principal use in the B-1 (Neighborhood Business District) as outlined in the Union Township Zoning Resolution. At Final Development Plan approval stage for building number 18, unless the applicant can adequately show the proposed floor space ratio between office and business uses, the parking requirements shall be calculated by assuming all floor space of the building will be used as business space.

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Adopted the 9th day of September, 19 97

  
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 Thomas I. Hayden - Abstain

  
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 Jose Alvarez - Yes

  
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 Catherine Stoker - Yes  
 Township Trustees

Attest:   
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 Patricia Williams  
 Township Clerk