

LIBERTY TOWNSHIP ZONING COMMISSION
January 17, 2018
6:00 PM
MEETING MINUTES

The Zoning Commission was called to order at 6400 Princeton Road at 6:00 P.M. by Chairman Forrest Holger. The Pledge of Allegiance was recited by those in attendance.

Upon call of the roll, members in attendance were: Forrest Holger, Jamie Dobrozsi, Mike Dunn, Mike Stater, and Wayne Bradshaw. Staff member Andy Juengling, Senior Planner, was also in attendance.

Mr. Holger reviewed the procedures of the hearing and performed a group swearing in.

Mr. Holger called for case **ZC18-002: 6862 Liberty Plaza Drive – Overlay District Review (Signage)**

Mr. Juengling presented the staff report, a PowerPoint presentation and case materials.

Mr. Holger asked staff for clarification regarding the sign sizes proposed. Mr. Juengling clarified.

Mr. Holger asked to hear from the applicant.

Applicant, Andrea Ward (Holthaus Signs), 817 Ridgeway Avenue, Cincinnati, OH 45229, explained that the request is due to a rebranding in order to incorporate the blue box logo, and because the tenant space is a corner unit, Charles Schwab is seeking to increase visibility where possible.

Mr. Holger asked Ms. Ward if the blue sign is a box sign. Ms. Ward confirmed and explained the mechanics and construction of the sign.

Mr. Holger asked staff if box signs were noted in the Zoning Resolution. Mr. Juengling stated that a pure box/cabinet sign is not permissible. Mr. Juengling added that this blue sign would be subject to review during the Zoning Certificate review to ensure compliance with the Zoning Resolution. Mr. Holger compared the blue sign proposed on the front elevation to a sign with a “backer panel” and that the blue sign appeared to be a true box sign. He added his concern regarding this sign and the appearance.

Ms. Ward stated that she believed this sign could be altered to incorporate channel lettering and maintain the blue background. She also described the proposed illumination of the sign.

Mr. Juengling outlined that the blue sign would be subject to the Zoning Certificate review for compliance with the requirements outlined. He added that the request before the Zoning Commission was for the sign installation on the north (non-street facing) elevation.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING.** Mr. Dunn seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED.**

Mr. Holger stated that as staff indicated this request is for the relocation of the channel letter sign to the north elevation. He added that his concern regarding the box sign would be addressed at a staff level.

Mr. Stater indicated that he believes precedent has been set regarding the request due to a previous request for the same building.

Mr. Holger clarified the precedent he was concerned about was allowing a box sign, and that the relocation of a sign on a non-street facing elevation is subject to the Zoning Commission's review.

Mr. Bradshaw stated that when this building was before the Zoning Commission when it was being proposed, signage was a concern raised at the hearing. He added that now that the building is constructed and the buffer/fencing is installed, he does not feel that signage impeding on the residents is as big of a concern due to reduced visibility. He explained he felt the history of this site is important due to the current signage request.

Mr. Holger stated he did not see that the proposed relocation of the sign would impact adjacent residents, but would increase visibility of the business to Cincinnati Dayton Road.

Mr. Holger asked for a motion on this case.

Mr. Stater made a motion to **APPROVE** Case ZC18-002 to subject to the recommended conditions in the Draft Notice of Decision & Resolution. Mr. Dunn seconded. Upon call of the roll: Mr. Dunn – yes; Mr. Stater – yes; Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Dobrozsi – yes. The motion passed.

Mr. Holger called for case **ZC18-003: Hutsepiller Contractors – Zoning Map Amendment from R-1 to O-2**

Mr. Juengling presented the staff report, a PowerPoint presentation and case materials.

Mr. Dunn asked for clarification that this rezone, while intended for the use of the property as self-storage, would allow for any other use outlined as permitted in the O-2 district. Mr. Juengling confirmed.

Mr. Dobrozsi asked if the use is permitted by right, it would not require board approval, but if the use was listed as conditional, it would require Board of Zoning Appeal approval. Mr. Juengling confirmed. Mr. Dobrozsi mentioned the staff comment regarding any variance of waiver would require review and approval from the appropriate review body. Mr. Juengling explained the type of items that would require Board of Zoning Appeal review, and which items would require Zoning Commission review which serves as the architectural review board for Liberty Township.

Mr. Holger asked to hear from the applicant.

Applicant, Bob Hutsepiller, 7404 Liberty One Drive, Liberty Township, OH 45044, stated the Princeton Glendale corridor was too vast to be utilized as only office and retail per the Comprehensive Plan. He stated he purchased the Maustown fire house from Liberty Township in August 2017. He stated the requested O-2 district still does not make the use permitted by right, and would still require approval from the Board of Zoning Appeal. He stated the store and lock facility is the only thing planned. He added they hoped to rezone to a PUD, but the proposed use is not allowable in PUD districts per the Zoning Resolution. He indicated he had letters from adjoining property owners.

Mr. Bradshaw asked Mr. Hutsepiller about the large building indicated along SR-747 and whether this would be used as storage as well. Mr. Hutsepiller explained the building use, and stated this product will be comparable to the Lakota Self Storage on Cincinnati Dayton Road near the railroad underpass.

Mr. Dobrozsi stated that the Zoning Commission cannot review the use of the property, they are only reviewing the rezone. Mr. Hutsepiller stated this was his only avenue to have the property set up for this use.

Mr. Juengling outlined the reasoning behind this not being something that could be rezoned to PUD for self-storage facilities.

Mr. Holger asked for clarification regarding the site plan Mr. Hutsepiller had at the meeting.

Mr. Bradshaw asked staff if there could be requests for mounding and landscaping for this use. Mr. Juengling stated this development would be required to install the buffering and landscaping outlined in the Zoning Resolution. Mr. Bradshaw asked if there would be mounding required between the proposed use and the adjacent residential. Mr. Juengling explained the buffer requirement for commercial uses to residential uses. Mr. Hutsepiller pointed out where the buffer was planned.

Mr. Dobrozsi asked about the development characteristics outlined in by the Planned Community Mixed Use land use designation and whether all of these characteristics are to be met. Mr. Juengling explained the difference between the development characteristics outlined in the land use plan recommendation, and the requirements of the Zoning Resolution.

Mr. Stater asked the applicant the footprint of the business out of the overall property. Mr. Hutsepiller indicated the code required 15% open space for the O-2 district.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Dunn seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger asked if there was any further discussion or comments from the board members. There was none.

Mr. Holger asked for a motion on this case.

Mr. Dunn made a motion to **RECOMMEND APPROVAL** of Case ZC18-003. Mr. Bradshaw seconded. Upon call of the roll: Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Dobrozsi – yes; Mr. Dunn – yes; Mr. Stater – yes. The motion passed.

Mr. Holger called for case **ZC18-001: Liberty Township Board of Trustees – Zoning Text Amendment (Marijuana Business)**

Mr. Juengling presented the staff report, a PowerPoint presentation and case materials.

Mr. Dobrozsi asked staff for clarification regarding the process and the Butler County Planning Commission meeting. Mr. Juengling explained.

Mr. Holger asked staff if the word “tests” should be included in the definition proposed based on the activities permitted under SB 523. Mr. Juengling stated the Zoning Commission could include this as a comment attached to the recommendation the Zoning Commission makes.

Mr. Dobrozsi asked for clarification regarding the City of Fairfield’s approval as it relates to testing outlined in the timeline. Mr. Juengling explained.

Mr. Dobrozsi asked if the proposed text amendment was only the amendments to Table 4.7-A and Section 11.2. Mr. Juengling confirmed and outlined how these uses would be treated if there was no text amendment adopted to the Zoning Resolution.

Mr. Dunn asked if the definition proposed was prohibitive enough based on Mr. Holger’s comment. Mr. Juengling stated that if the board would like to include the word “tests” to the definition, they could include this as a comment to their recommendation.

Mr. Dobrozsi asked for clarification that this would just be a recommendation to the Board of Trustees. Mr. Juengling stated they could still make a comment upon the recommendation, but it couldn’t be a condition.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Stater made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Dunn seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger asked for a motion on this case.

Mr. Bradshaw made a motion to **RECOMMEND APPROVAL** of Case ZC18-003 with the comment that the definition of Marijuana Business should include the word “tests.” Mr. Dunn seconded. Upon call of the roll: Mr. Dobrozsi – yes; Mr. Dunn – yes; Mr. Stater – yes; Mr. Bradshaw – yes; Mr. Holger – yes. The motion passed.

Mr. Holger called for the next item on the agenda of the approval of the meeting minutes from the October 16th, 2017 meeting.

Mr. Holger made a motion to **APPROVE** the meeting minutes from the October 17th, 2017 Zoning Commission meeting. Mr. Bradshaw seconded. Upon call of the roll: Mr. Dobrozsi – yes; Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Stater – abstained; Mr. Dunn - abstained. The motion passed.

Mr. Holger called for the next item on the agenda of the approval of the meeting minutes from the December 18th, 2017 meeting.

Mr. Juengling stated that these minutes are not yet completed, so they will be voted upon at the next Zoning Commission meeting.

Mr. Holger called for the next item on the agenda of the election on a chairman and vice-chairman for 2018.

Mr. Holger stated it has been an honor and a privilege to serve as the chairman for 2017 and thanked the Zoning Commission members for their support. He added if nominated, he would be honored to continue on in this leadership role for 2018, but stated he knows there are other members that would like to serve a leadership role, so if there are others that would like to serve, please let the board know. Mr. Stater stated he would like to nominate Mr. Holger to serve as chairman again for the 2018 year. Mr. Dobrozsi seconded the motion. Mr. Holger accepted the nomination.

Mr. Holger asked if there was a nomination for vice-chairman. Mr. Dobrozsi indicated that given the opportunity he would be happy to serve as vice-chairman for 2018. Mr. Dunn made a motion to elect Mr. Dobrozsi as vice-chairman. Mr. Stater seconded the motion.

Mr. Holger asked for a motion to elect Forrest Holger as chairman and Jamie Dobrozsi as vice-chairman of the Liberty Township Zoning Commission for 2018. Mr. Bradshaw made a motion. Mr. Dunn seconded. Upon call of the roll: Mr. Stater – yes; Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Dobrozsi – yes; Mr. Dunn – yes. The motion passed.

Mr. Holger asked if there was any other new business.

Mr. Juengling stated there would be at least one case on the agenda for the February meeting, and the application deadline had not yet passed.

Mr. Holger made a motion to **ADJOURN ZONING COMMISSION MEETING**. The motion passed unanimously and **ZONING COMMISSION MEETING ADJOURNED**.

Respectfully submitted,

Forrest Holger, Chairman

Andy Juengling, Secretary